

STOCKDALE'S
Parliamentary Guide;

OR,

**MEMBERS' AND ELECTORS'
COMPLETE COMPANION.**

Vol 11 C4

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K. STOCKDALE'S
Parliamentary Guide;

O R,
MEMBERS' AND ELECTORS'
COMPLETE COMPANION:

Being an HISTORICAL ACCOUNT of the several CITIES, COUNTIES, and BOROUGHs, in GREAT-BRITAIN; their Right of Election; when they were first represented in Parliament, and the Number of Voters at each Place; with References to the Journals of the House of Commons, for every Proceeding to be found in them, relating to Matters of Election; and Copies of the several Writs used at a General Re-election, the Oaths taken by the Electors and the Elected, and the Oaths administered to the Representative upon taking his Seat; with a full Recitation of all the various Statutes relating to the Election of Members, and the Succession of Parliaments from the Restoration.

To which is prefixed,

A P R E F A C E,

Digested under the seven following Heads, viz.

The Origin of Parliament, its Progress, and Present State—Observations on the last General Writ—Original Mode of Election—How the Rights of Election have been preserved—Of the Constitution of Committees for trying controverted Elections; the Manner of proceeding in them, and Regulations concerning the same—The Number of Members returned in the different Reigns—and Observations on the present Work.

WITH
AN APPENDIX,

Containing Orders of the House of Commons, arranged under their proper Heads; and a Table of Fees taken by its Officers and Servants.

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P R E F A C E.

IN a publication which has for its principal object the history of the several counties, cities, and boroughs of Great-Britain, and their right of sending representatives to the great senate of the nation, some account of the *origin* of parliament, and its *progress* to its present state, no doubt, will naturally be expected.

The particular constitution of the great council of this country before the Norman invasion, continues, even at this time of day, a matter of great uncertainty, notwithstanding the long and able researches of learned men ; and with respect to their *legislative* powers, we are, in a manner, altogether ignorant of them.

In treating of the subject, we shall digest whatever may necessarily belong to it, under the following seven heads: *origin* of parliament, its *progress*, and *present* state ; observations on the last general writ for summoning knights, citizens, and burgessees ; original mode of election ; how the rights of election have been preserved ; of the constitution of committees for trying controverted elections, and the manner of proceeding in them ; number of members returned in the different reigns ; and observations on the present work.

ORIGIN OF PARLIAMENT, ITS PROGRESS, AND
PRESENT STATE.

This kingdom was originally monarchical, and hath always been governed by a sovereign, and his councils, under various denominations; though historians differ much with regard to the members of these councils. Some historians, and those of repute, assert, that the constitution of king, lords, and commons, as now formed, hath been established from the time of the Britons. There do not, however, appear any *proofs* of the commons being summoned to the public councils, or parliaments, until the 49th of Henry III. when *Simon Montfort*, earl of *Leicester*, having the King and Prince of Wales in his power, issued a writ, in the King's name, for calling a parliament, in which knights of the shire were directed to be chosen. It is observable, that these knights seem, for some time, to have been considered as a distinct order from the commons. After the defeat of *Montfort*, the king, being then his own master, called another parliament in the same year, consisting only of the barons, without summoning the commons; nor do they appear to have been summoned again during this reign. Edward I. proceeded in the same manner, without summoning the commons, until his 18th year, when he issued his summons to the several sheriffs to call two knights of the shire.

On the 8th of October, in the 22d of the same reign, a writ was issued to the sheriff of each county,
to

to elect two knights of the shire; and on the very next day another writ was issued for electing *two more knights for each county*, besides those before mentioned; so that each county was represented by *four knights*. These may be said to be really the first three writs for electing knights of the shire; for though that of the 49th of Henry III. runs in the king's name, it is very apparent that it was a measure of his minister, or rather governor, and such as the king soon shewed his dislike to, by returning to the former method the very same year; nor is there mention made of any summons for cities, or boroughs.

In the parliaments of the 18th and 22d of Edward I. the lords and commons met together to hear the causes of calling the parliament; and when that was declared, they separated to consider and debate a part of the matter given in charge. The commons then were only knights of the shire; but in the year following the writs were not only for electing two knights of the shire, but also two citizens for each city, and two burgeses for each borough, within the respective counties; though some have written, that *citizens and burgeses* were expressly summoned, as part of the parliament, in the 16th year of the reign of King John. The most probable conjecture, however, is, that knights of the shire were *first summoned in the 49th of Henry III.* and citizens and burgeses *in the 23d of Edward I.*

Thus, it is apprehended, the representative of the people, as now constituted, first originated; and at

this time the parliament consisted of king, lords, knights, citizens, and burgessees. To ascertain this fact, there is one observation deserves regard, which is the writ for summoning the convocation in the 23d year of Edward I. which altered the former methods, viz. by summoning the whole body of the clergy by their representatives.

The reason given in this writ for summoning the body of the clergy is, because *that which concerns all, should be approved by all*; from which it plainly appears, that the king was determined to have a thorough representation of the nation. The origin of the diversity which we observe in the right of voting for representatives, in different boroughs, is a subject of curious disquisition, but cannot be explained with any degree of certainty. It may be conjectured, that, in some instances, the right was limited to a particular class of men, by the king's charter, under which the borough derived its title to send members to parliament; for our kings claimed, and exercised, the prerogative of conferring that important privilege down to the end of the reign of Charles II. In other instances, where the city or borough began to chuse members from the first epoch of representation, without having received any royal charter to regulate who should elect, it is probable all those were admitted to vote, who were deemed capable of giving a free suffrage.

In the succession of ages, a mighty change took place in most of the feudal governments, particularly in England. The exorbitant power of the barons, which

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which the king's feeble and limited authority was unable to controul, gave rise to numberless jealousies and civil wars, till a great part of their ancient territories were either exhausted by the efforts they made, or reciprocally confiscated by the party which chanced at different times to prevail. Many of the most considerable families were entirely extinguished, either by the fortune of war, or the sword of justice; and, when the contest between the two roses was finally terminated by the union of the houses of York and Lancaster in the person of Henry VIII. the strength, riches, and domains of the old rivals of the kingly power, had, in a great measure, fallen into the hands of the crown. The over-grown possessions of the remaining nobility were gradually sapped, and diminished, by the operation of that policy, by which the judges, under the cover of a legal fiction, had, in effect, repealed the statute of entails; a statute extorted by the barons from Edward I. with the vain design of perpetuating their grandeur with their estates. This policy had been connived at by Edward IV. and Henry VII. and soon received a parliamentary sanction. It was the original source of the independence and riches of the people; who were encouraged by the first princes of the house of Tudor, as an instrument to aid them in the project of annihilating the power of the nobles.

In the mean time, learning and the arts were revived in the West; the two Indies were discovered; navigation was improved; commerce cultivated; and opulence universally and eagerly pursued. The people

soon found themselves in a condition to acquire that property, which common recoveries (now become the law of the land) enabled the nobility to alien. Riches naturally beget the spirit of independence; but other more powerful causes now co-operated to the same effect. Literature and philosophy had enlightened and enlarged the human faculties. The follies of superstition, and the impositions of priestcraft, were detected, and attacked with success. The reformation of the church could not take place, without affecting the state. Civil liberty was as eagerly sought after, as freedom of conscience; and the commons of England felt and asserted their importance. The representatives of the people no longer considered themselves as mere attorneys, or agents, paid by their constituents, for the sole purposes of bestowing their property, and of presenting their humble petitions for the redress of grievances: they assumed the character of statesmen, politicians, and lawgivers; of trustees charged with the guardianship of the property, the liberty, and the lives of a great nation. A seat in their house was soon one of the prime objects of ambition: it was a prize for which many contended at once; and contested and litigated elections, therefore, became daily more and more frequent.

OBSERVATIONS ON THE LAST GENERAL WRIT FOR
SUMMONING KNIGHTS, CITIZENS, AND BURGESSES.

The writ directs *two knights* to be chosen out of each *county*, *two citizens* out of each *city*, and *two burgeses* out of each *borough*. The *counties* were well

well known, and had been long ascertained; but the sheriffs had it left to their discretion as to the *cities* and *boroughs*. They were the *dominica civitates*, and *burgi regis*, viz. such as had charters from the king, and paid a fee-farm rent in lieu of the customs, and other advantages and royalties that belonged to the crown; but these not being named in the writ, the sheriffs took great liberties, either by summoning such as had *no right*, or omitting others who *ought* to have been summoned: this arose from the nature of the institution.

The representation of the nation in parliament was then a *burden* to the people, the *elected* being *paid* by their *electors*; nor doth it appear that the representatives at that time had any *advantage* more than *their wages*. Cities and boroughs were, therefore, not fond of returning representatives to parliament, and it was reckoned a privilege to be exempted, and to obtain which there are more instances than one of petitions having been presented. Sheriffs would frequently act in a very partial and arbitrary manner, and out of pique return many *poor boroughs*, who were not able *to pay their representatives*, and omit others, who were able, *in order to shew favour towards them*. This became a very great grievance, and in the 5th of Richard II. a law was made to hinder these arbitrary proceedings; and several boroughs were, by charter from the crown, exempted from what they would have esteemed a hardship and burden upon them.

ORIGINAL MODE OF ELECTION.

The knights of the shire were at first elected by the commonalty of the county ; that is, the *freeholders* in general ; and these, by the statute of Henry VI. are declared and restrained to freeholders of forty shillings yearly.

The original method of election for cities and boroughs was either in the commonalty at large, or restrained to particular bodies of men within the same, who contributed to the charge ; and where the boroughs were of the king's demesnes, all such as were the king's tenants, or paid the king any acknowledgements, were the *electors* ; and where a district was made a borough, generally the inhabitants at large were liable to the charge, and in them was vested the power of election.

In boroughs *incorporate*, the *body-corporate* were only *liable*, and had only the right of election ; and where it was in the community at large, and the poorer sort joined not in the payment of the expences, those only who paid became a select body, and had voices in the election of the representatives : from whence arose the right of election by inhabitants paying *scot and lot* ; and from the alienation of the king's demesnes the owners or possessors of those tenements retain the right (their predecessors being the original burgesses), and is what we now call *burgage-tenure*. As to other boroughs which now elect by the inhabitants at large, it is conjectured, they were such as
always

always contributed to the wages, as long as the wages were paid; and though they do not now pay, they found their claim upon the payment of their ancestors.

The restored boroughs had no right of election settled upon their restoration, and therefore seem to have been left to their ancient rights: but one thing must be observed, that in all determinations the proved usage has been looked upon to be the right; and though it has been called *prescription*, it seems to be very erroneously ranked under that denomination; for in many cases, several different methods of election have been proved, and the house has taken upon them to determine upon the usage.

There have also been, since the Reformation, several boroughs which have privilege of representation in parliament granted them by *charter*, and upon the words of these charters the right of election depends.— In the reign of Charles II. before the case of Newark happened, the prerogative of the king in this respect was called in question. Prynne, in his *Brevia Parliamentaria Rediviva*, though one of his great objects in that book seems to have been to raise the prerogative, and depress the authority of the house of commons, says, pp. 156, 158, that he is clear, “ that
“ since the statutes of 5th Richard II. cap. 4.
“ 1 Henry V. cap. 1. and 23d Henry VI. cap. 25.
“ no boroughs can be *created*, or revived, but by
“ special acts of parliament, such as those of the 27th
“ Henry VIII. cap. 26. 34th Henry VIII. cap. 18.
“ and 35th Henry VIII. cap. 11. which enabled and
“ authorized

“authorized the Welsh shires, cities, and boroughs, and the county and city of Chester, to send knights and burgesſes to parliament.” See alſo p. 238. b. Whitelock, on the contrary, in his Commentary on the Parliamentary Writ, admits the power of the crown. “The king,” ſays he, “may give by *patent* to as many towns as he pleaſes the privilege of ſending burgesſes to parliament.” Vol. ii. cap. 103, p. 372. See alſo the ſame author, vol. i. p. 500.

It is obſervable that both theſe works are dedicated to Charles II. In the caſe of Newark, the queſtion was diſcuſſed in the houſe. The debate aroſe, on the occaſion of a petition of Mr. Henry Saville, who had been elected under the new charter for that place. Journ. vol. ix, p. 389. col. 1. 21ſt March, 167⁵. Three objections were taken to the charter: firſt, it was ſaid, that the king had not the power at all; ſecondly, that if he had, ſtill he could not limit the right of election to a partial number of the inhabitants of the corporation, which had been done in that caſe; and, thirdly, that he could not grant ſuch a charter while the parliament was ſitting. Grey’s Debates, vol. iv. p. 297 to 304. The queſtion being put, “That by virtue of the charter granted to the town of Newark, the town of Newark hath right to ſend members to parliament,” on a diviſion, it paſſed in the affirmative, 125 to 73. Journal, loc. cit. This caſe ſeems to have confirmed and eſtabliſhed the prerogative of the king, although it was never afterwards exerciſed. After the Revolution it is recognized

nized by lord Holt, in the famous case of Ashby and White. His words are, "When the right of election is *granted* within the time of memory, it "is a franchise that can be *given* only to a corporation:" and a few lines afterwards, adopting the words of the judges in the case of Dungannon, "If the king grant "to the *inhabitants* of Islington to be a free borough, "and that the burgesses of the same town may elect "two burgesses to serve in parliament, such a grant "of such privilege to burgesses not incorporated is "void; for the inhabitants have not capacity to take "an inheritance." He, therefore, did not doubt of the king's power to grant the privilege in question to a borough properly incorporated. The case of Ashby and White happened before the Union. Since that time it seems to be understood, that the king cannot bestow a new right of sending members to parliament.

By the treaty of Union, art. 22d, there can be only forty-five members for Scotland in the house of commons. To increase, therefore, the number of members for England above 513, of which the house consisted at that period, would be to alter the proportional share of the nation in the legislative body, which proportion is one of the most important parts of the contract between the two kingdoms.

HOW THE RIGHTS OF ELECTION HAVE BEEN PRESERVED.

Petitions and contests concerning elections began in the time of Edward III, and were originally to the
king

king (after *in* the king) in parliament, because all points of election were anciently returnable there:—but in the 7th of King Henry IV. a statute was made, that they should be returned into chancery; wherefore, upon the common maxims of the *execution of writs, being to be examined by the power from whence they issued*, the great seal assumed or claimed a jurisdiction in these matters; which through being wrongfully submitted to, in some cases, caused many disputes: but in the 29th of Queen Elizabeth, in the case of the Norfolk election, the great seal submitted.

But somewhat further may be necessary, though it is shewn that the great seal hath no power, the next question will be to examine, how the commons came to claim it, they being only part of the parliament, and the ancient precedents being—*that the determination ought to be in parliament*, viz. before the king and both houses?—To this it is answered, The house of peers (whose writs are returnable in like manner) without consulting the commons, have always taken upon them to determine the rights of peerage, as a matter of privilege in which the commons had no concern: the commons, therefore, for the same reason took upon themselves to judge of *their* elections; and, in their representation to King James I. upon this subject, set forth—“That though they were part of a body to
 “make new laws, yet for any matter of privileges of
 “*their house*, they were, and ever have been, a
 “court of themselves, of sufficient power to discern
 “and determine without their lordships, as their lord-
 “ships

"ships have always used to do for theirs without them."

Notwithstanding repeated attempts at the end of Queen Elizabeth's reign, and the beginning of James the First's, to draw the power of deciding on the right of trying controverted elections to the court of chancery, the house of commons were able to maintain and establish that privilege, and have enjoyed it without interruption for near two centuries.

In the beginning their determinations were distinguished for their wisdom, purity, and justice. The first men, for talents and integrity, were selected from the body of the house, and, under the name of a committee of privileges, formed a court less numerous than the whole house, and, on that account as well as many others, better fitted for the attainment and dispatch of justice. Sir Edward Coke, Mr. Pym, Mr. Glanville, Mr. Noy, and Mr. Selden, were a part of it.

This chastity of decision, however, was not very durable. The united strength of the crown and people having subdued the aristocracy of the peers, those two remaining branches of the state began each to aim at the exclusive possession of the sovereignty. This struggle between the crown and the people was not peculiar to England. It took place nearly at the same time in many other countries of Europe; particularly in France, where the nobles, after having been equally formidable, had been reduced by very similar means, and in the same manner as in England. But the success was very different. In France, the king prevailed,

ed, and an absolute monarchy was established. In England, after several violent and convulsive efforts, the commons fixed their independence, as it were, on a rock; yet still left the other two great members of the state possessed of large though limited powers, so as to blend the three together with a harmony more perfect than the most ingenious speculation could invent, or the most penetrating wisdom foresee.

Yet even this wonderful system, like all human things, was liable, and has been exposed to abuse. The crown, entrusted with the executive power, found it impossible to carry on the business of government without a majority of voices in the house of commons. The rough attempts of prerogative had proved ineffectual. The more winning and insidious arts of influence were now practised with better success. The majority and the minority in the house of commons, became terms nearly synonymous to the friends or opponents of government; and whenever the party in opposition gained so far in numbers as to form the majority, a subversion of the reigning ministry was the immediate consequence.

It is evident, that, in this state of things, it must often have been of consequence to those in administration, that, in litigated cases, one of the competitors should succeed in preference to the other. Election causes were now frequently tried at the bar of the house, and when they were referred to the committee of elections, the resolutions of that committee were to be canvassed, and either rejected or confirmed by
the

the house. A majority there was able to determine any question. The opprobrium and guilt of partiality and injustice seemed to lose their severity, when divided among so great a number; and the cause was generally decided, not in favour of the person who had the merits for him, but of him who had secured the favour of the minister.—To make way for the final determination, when the right of election in a borough had been claimed by different classes of men, it was necessary for the house first to declare in which of the contending parties the right by law resided; and there too the most common rule was to decide, not according to the evidence of the *lex loci*, but in favour of those who had given their voices to the ministerial candidate.

This, in the course of a few years, produced a great number of illegal, inconsistent, and contradictory decisions. If a whig was a contending candidate, when the whigs were in power, the right of election was declared to be in his friends. If, for the same borough, a new contest arose under a tory administration, and the tory candidate had the suffrages of a class of men who had been excluded on the former occasion, the right of voting was then bestowed upon them. In short, to bring in the favourite candidate, and strengthen the majority by a new voice, every fence of law, justice, and even decency, was broken down.

Several attempts were made at different times to apply a remedy to this scandalous and growing evil. Among others, a statute passed in the second of the late

late king, (2 Geo. II. c. 24.) which enacted, that the last determination in the house of commons should be, to all intents and purposes, final, as to the right of election. By this means some check was put to the glaring inconsistency of opposite determinations. But it was a very inadequate cure. The same gross and avowed partiality continued in the trial of *facts*, in all cases, where there was no last determination of the right of election, and in explaining ambiguous or supposed ambiguous expressions in last determinations, where such were to be found.

At the same time, there were other unavoidable defects in this judicature. It was too numerous for dispatch; the judges were not upon oath; and they had no power of administering an oath to the witnesses whom they examined. In short, in a country, where justice is dispensed with a degree of wisdom, purity, and consistency, unparalleled in other ages or nations, there existed the most imperfect, partial, and inconsistent tribunal, which perhaps was ever known in any civilized government.

All wise and all good men lamented the continuance of such a national reproach; but, for a long time, nobody was found, who, with abilities to contrive, possessed spirit and weight sufficient to carry into execution, a plan for abolishing the old, and establishing a new judicature; not liable to the defects of the former, but analogous, both in its constitution and chastity, to the other courts of justice. At length, Mr. Grenville imagined, and accomplished
this

this great work, though he did not live to enjoy the just applause which has on that account been lavished on his memory. The first act establishing the present mode of trying controverted elections passed in 1770 (10 Geo. III. c. 16), and Mr. Grenville died on the 13th of November, of the same year. At first this act was only temporary, and limited to seven years; but four causes having been tried under it, the justice of the decisions, so different from former examples, rendered it almost the idol of the public; and in 1774, a bill was brought into the house of commons, and passed into a law, which made it perpetual (14 Geo. III. c. 15).

OF THE CONSTITUTION OF COMMITTEES FOR TRY-
ING CONTROVERTED ELECTIONS, AND THE MAN-
NER OF PROCEEDING IN THEM.

The mode of forming committees of election has many singularities in it, which embarrass those who are not much accustomed to the perusal of statutes, by an appearance of intricacy; and the mode in which causes are carried on, in those committees, differs, in several respects, from the practice of Westminster-hall.

1. By an order of the house renewed at the beginning of every new session, every petition complaining of an undue election, or return, must be presented within fourteen days after the date of that order, and so within fourteen days next after any new return shall be brought in.

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2. If

2. If the house is not actually sitting on the last day of the fortnight limited by the abovementioned order, by an equitable construction it has been determined to be sufficient, that the petition be presented on the first day when the house sits after the expiration of the fortnight.

3. No such petition can be taken into consideration till fourteen days after the beginning of the session in which it is presented, nor till fourteen days after the return to which it relates, shall be brought into the office of the clerk of the crown.

4. It was resolved by the house, in the beginning of the last session, that, according to the true construction of 10 Geo. III. whenever a petition shall be offered to be presented within the time limited, it shall be delivered in at the table, and read, without a question being put upon it.

5. By a resolution of the house, renewed at the beginning of every session, in all cases of controverted elections for counties, in England and Wales, the petitioners, by themselves, or their agents, must, within a convenient time, to be appointed by the house, deliver to the sitting members, or their agents, lists of the voters for the sitting members to whom they intend to object, in which they must state the several heads of objection, opposite to the names of the persons objected to; and the sitting members, or their agents, must deliver, within the same time, similar lists to the petitioners, or their agents.

6. A great many petitions having been offered to be presented at the same time, the house resolved, that, whenever more than one petition, complaining of an undue election, or return, for the same, or for different places, shall at the same time be offered to be presented to the house, the speaker shall direct all of them to be delivered in at the table; and that the names of the counties, cities, boroughs, or places to which they relate, shall be written on several pieces of paper of an equal size, which are to be rolled up, and put by the clerk into a glass, or box, and then publicly drawn by the clerk, and the petitions read in the order in which the names are drawn.

7. When a petition is read, a day and hour are appointed for taking it into consideration.

8. The house may alter the day appointed for the consideration of any petition, and appoint a *subsequent* day, giving notice to the parties.

9. Before the statute of 10 Geo. III. an annual order was always made for proceeding first to the consideration of petitions concerning double returns. The order has not been renewed since; however, this preference was shewn to the petitions from Milborne Port and Morpeth, the first relating to a double return, and the second complaining of a false return. They were read, and days appointed for the consideration of them, before the ballot for the others.

10. When the time for taking any petition, or petitions, into consideration, is appointed, an order is made for the speaker to issue his warrants for such persons,

persons, papers, and records, as shall be thought necessary by the several parties, on the hearing of the matter of such petitions.

11. On the day appointed for the consideration of any petition, or petitions, the house cannot previously enter on any other business, except the swearing of members; and, if there are not one hundred members present, the house must adjourn to the following day, (unless it be Sunday, or Christmas-day,) and so on from day to day, till the requisite number of an hundred are present. There has been but one instance hitherto, where an adjournment has been necessary on this account, viz. in the case of Clackmannanshire.

12. When the hour appointed for taking any petition into consideration is come, the serjeant at arms is directed by the speaker to go, with the mace, to the places adjacent, and require the attendance of the members on the business of the house.

13. If the number is complete, the counsel and agents for the parties attend at the bar, and the doors of the house being locked, the names of all the members, written on distinct pieces of paper, are put, in equal number, into six glasses, and the clerk draws out a name alternately from each glass, which is delivered to the speaker, and read by him; and so on till forty-nine names of members then present are drawn.

14. If the name of any member is drawn who has voted at the election complained of, or of one who is either a petitioner, or petitioned against, or whose
return

return has not been fourteen days in the office of the clerk of the crown, or of one not then present, his name is set aside, and does not go to make up the number of forty-nine.

15. If the name of any member is drawn, who who will make oath that he is sixty or upwards, or verify upon oath any other excuse which the house shall approve of, or who has served upon any other committee in the course of the session, he (if he requires it) is excused, and another name drawn in his stead; and so it is if the member's name is drawn who is intended for the nominee of either of the parties.

The form of the oath by which any excuse is to be verified is as follows: "The matter alledged by you, and now taken down and read, as an excuse for not serving on this committee, is the truth. So help you God."

16. But the excuse of having served on a former committee during the session, cannot be allowed, if the house shall have come to a previous resolution, that the number of members who have not served is insufficient to answer the purposes of the statute. And no member, who, after having been chosen to serve on a former committee, has, from inability or accident, been excused from attending it throughout, can avail himself of such excuse.

17. If the number of forty-nine, not set aside, nor excused, cannot be completed, the house must adjourn in the same manner as in the case where there are not an hundred present.

18. When there are but two distinct parties, the petitioner, or petitioners, and the sitting member, or sitting members, name each one from among the members there present, who are not of the forty-nine.

19. If either of the parties, or both, decline their right of nominating, the want of such nomination is supplied by drawing the name of one or two members in the same manner as the forty-nine are drawn.

20. The two nominees (for they are generally so called even in the latter case, though improperly) are liable to the same objections, and entitled to the same excuses, as those drawn by lot; and in case of such objections, or excuses, others are to be nominated in their stead.

21. The doors of the house are then opened; two lists of the forty-nine are prepared, one of which is delivered to the counsel for the petitioners, and the other to the counsel for the sitting members; the parties, with their counsel and agents, withdraw, together with the clerk of the committee; and the parties strike off, alternately, one from the list of the forty-nine, (the petitioners beginning,) till the number is reduced to thirteen. This must be done within an hour.

22. Then the thirteen, together with the two nominees, take the following oath, which is administered at the table by the clerk, in the same manner as the oaths of supremacy and allegiance are.

“ You, and each of you, shall well and truly try
“ the

"the matter of the petition of A. B. referred to you, and a true judgment give, according to the evidence. So help you God."

23. The house then appoints a certain time for the meeting of the committee, which must be within twenty-four hours, and is generally forthwith; and none of the fifty-one must leave the house till that time is fixed.

24. When there are more than two parties before the house on distinct interests, each of the parties strikes off one successively from the forty-nine, till the number is reduced to thirteen, the order of their beginning being determined by lot, after they withdraw from the bar.

25. In such case, none of the parties appoint a nominee; but, as soon as the list of the thirteen is given into the house, they (the thirteen) withdraw, and within an hour chuse two members present at the ballot, whose names have not been previously drawn; and, if they are not set aside, or excused, on the grounds already mentioned (14, 15), the fifteen are sworn in the manner above described (22).

26. In such case, too, none of the members present at the ballot are to depart from the house, till the time for the meeting of the committee is appointed.

27. Both before the house of commons and the house of lords, and in all committees of either, one party can have but two counsel. When there is but one petitioner, or when there are two, and they unite

in the same petition, they have but two counsel. And, in like manner, when the election of two sitting members is complained of on the same grounds, they have only two counsel.

28. In most cases there is a separate petition from certain electors, or persons claiming a right to vote, in the interest of the unsuccessful candidate. They are sometimes allowed one counsel; but they are not considered as distinct parties, so as to be entitled to strike off any names from the forty-nine.

29. When there are two petitioning candidates, who present distinct petitions, containing different allegations, each of them is entitled to two counsel, and the committee is formed as described 24, 25.

30. If the cases and interests of the two sitting members are distinct, each of them likewise is allowed distinct counsel, and the committee is formed in the same manner 23, 24.

31. When the committee meets at the time appointed by the house, they elect one of the thirteen, who were chosen by lot, to be their chairman; and, in case of an equality of voices, the member who was first drawn has a casting vote at this election of a chairman: and there is a similar provision, if, in the course of a cause, from the death or absence of the first, there should be occasion to elect a new one. This is all the business which is done that day, after which the committee adjourns till the next, commonly at ten o'clock, and continues sitting every day from ten to about three.

32. They

32. They meet every day, except on Sundays and Christmas-day, and cannot adjourn for more than twenty-four hours, exclusive of Sunday or Christmas-day, without leave obtained from the house, on motion, and special cause assigned for a longer adjournment.

33. No member can absent himself without leave obtained from the house, or an excuse allowed on special cause verified upon oath. If any one does, the chairman must report it to the house, who will direct the committee to proceed without him; and he is ordered to attend, and taken into the custody of the serjeant at arms, and otherwise punished at the discretion of the house, unless it shall appear, by facts verified upon oath, that his absence was occasioned by sudden accident or necessity.

34. The committee can never sit on any day, until those members are assembled who have not been excused; and if they do not all meet within an hour of the time to which the committee adjourned, they must adjourn again, the chairmen reporting the cause of such adjournment to the house.

35. If more than two members are absent, whether on leave, or not, the committee must adjourn from time to time, until thirteen are present.

36. In case the number of the members be reduced unavoidably, by death or otherwise, under thirteen, and continue so during three sitting days, *that* committee becomes *ipso facto* dissolved, and all its proceedings void; and a new committee must be chosen.

37. If

37. If the committee have occasion to make any application or report to the house, in relation to adjournment, absence of members, or non-attendance or misbehaviour of witnesses, and the house shall be then adjourned for more than three days, the committee may adjourn to the day appointed for the meeting of the house.

38. The committee have power to send for persons, papers, and records. They are to examine all the witnesses who come before them upon oath, and to try the merits of the return, or the election, or both.

39. The regular method of conducting every cause seems to be this :—The petition or petitions being read, if the right of election be in dispute, and there is a last determination of the house, that too is read, and then the standing order of Jan. 16, 1734.

After this, the senior counsel for the petitioners opens their case, stating what facts they mean to prove, and the points of law they mean to rely upon.

The evidence to prove the case of the petitioners is then gone into, whether written, or oral, and the following oath is administered to every witness :

“ The evidence you shall give to this committee
“ shall be the truth, the whole truth, and nothing
“ but the truth. So help you God.”

If the examination of a witness lasts more than one day, or if the same witness is called more than once, on different days, the oath is always administered, anew, every day.

When

When a witness is under examination, all those who are intended to be called afterwards on either side, are ordered to withdraw: after which, if they remain in the committee-room, their evidence will not be received.

In examining a witness, one of the counsel, who calls him, begins. He is then cross-examined to the same facts by the counsel on the other side, and also to any other matter which he thinks of use to the cause of his clients. Then the counsel who began the examination, re-examines him to the new matter suggested by the other side, to which the re-examination must be confined. The members of the committee then put such questions as occur to them; or if any new questions occur to any of the counsel of either side, as they cannot then regularly put them themselves, they suggest them to one of the members of the committee, who asks them of the witnesses.

The evidence for the petitioners being closed, the junior counsel on that side sums it up, and draws his conclusions from it, against the sitting members, and in favour of his own clients.

Then the senior counsel for the sitting members, after remarking upon the evidence which has been produced, and endeavouring to impeach its validity, or the conclusions drawn from it, proceeds to open the case against the petitioners (if there are objections, either to their eligibility, or to their votes). Evidence is called to support this new case, which

is gone through in the manner just described. Then the junior counsel, on the same side, sums it up, and the senior counsel for the petitioners replies to the whole.

When there is only one petitioner and two sitting members, or one petitioner and one sitting member, the order of the proceeding is of course the same in every respect.

40. When the counsel have closed their evidence and arguments, they are directed to withdraw, and, the court being cleared, the committee settle their opinion among themselves; determining any point on which they differ, by the majority of voices. If the voices are equal, the chairman has a casting vote.

41. Though the established method seems to be that the counsel for the petitioners begin by opening the whole of their case, yet, when it happens to consist of several questions, and the determination of one would render the discussion of the others unnecessary, (as, for instance, if the objections to a sitting member are, first, that he was not eligible, and, secondly, that he had not the majority of legal votes,) the committee will then, with the consent of the parties, divide the case into the separate questions. The proceedings on each separate question are exactly in the manner which has been described (39). When the committee have come to a resolution upon such distinct question, the counsel being called in, it is read to them by the chairman. When the determination of the first question is sufficient for the
21

decision of the cause, the others are not proceeded upon.

42. If, during the course of the evidence, any objection is taken to the admissibility of any part of it, both the counsel, on the side from whence the objection comes, speak to it, and being answered by both the counsel on the other side, the senior replies ; and then, if there appear to the committee any difficulty on the subject, the court is cleared, and the counsel, when they are called in again, receive from the chairman the directions of the committee, whether the evidence is to be admitted, or rejected.

43. If any person, summoned as a witness before the committee, prevaricate, or misbehave, in giving or refusing to give evidence, the chairman, by the direction of the committee, may, at any time, during the course of the cause, report this matter to the house, for the interposition of their authority or censure.

44. The report of the committee, containing their determination, whether the petitioners or sitting members, or either of them, are duly returned, or elected, or whether the election is void, is conclusive between the parties, and binding on the house : and it is of course ordered to be entered in the Journals, and directions are given for the necessary alteration of the return, or for issuing a new writ, as the case requires.

45. If the committee come to any resolution besides the determination just mentioned, they may, if they think proper, report it to the house, at the same time that their chairman communicates such their determination. But as to such special resolution,
the

the house is left at liberty either to disagree with, or confirm it.

NUMBER OF MEMBERS RETURNED IN THE REIGNS
OF EDWARD I. HENRY VI. HENRY VIII. &c.

In the 23d year of king Edward I. only 145 places returned members to parliament, and in the 25th and 26th years of that king 24 other places likewise sent members.

In the reign of king Henry VI. the house consisted of 300 chosen men.

Of about the same number the house of commons was composed until the reign of king Henry VIII. when an act of parliament passed in the 27th year of that king, enabling the county of Monmouth to send two, and the town of Monmouth to send one member; and also twelve counties and twelve towns in Wales, to send one member each: and in the 34th year of that king an act passed, enabling the county and city of Chester to send two members each. Subsequent to that reign, the practice of encreasing the number of parliamentary boroughs (probably to answer some political exigencies) became more frequent, either by reviving the right of some ancient boroughs, which had formerly sent members, but had long discontinued so to do, or by creating new boroughs by letters patent from the crown, granting the privilege of sending members as a new right.

In Sir Edward Coke's time, James I. the representatives were 493; at the time of the Union 513; and by 5 Ann. chap. 8, 45 Scotch members were added; which makes the number at this time 558.

By

PREFACE.

By these means, from the reign of king Henry VIII. to the reign of king Charles II. there was an encrease of more than 200 members to that house. For the particulars, the reader is referred to the preface to *Glanville's Reports*, from which the following summary is taken :

RESTORED.		CREATED.	
By King Hen. VIII.	2	By King Henry VIII.	33
Edw. VI.	20	Edw. VI.	28
Queen Mary	4	Queen Mary	17
Eliz.	12	Eliz.	48
King James I.	16	King James I.	11
Char. I.	18	Char. II.	6
	72		143
			72

Total restored and created in these reigns 215

Names of the places in the following counties that have long discontinued to return members, and have not had that privilege restored; from the preface to *Glanville's Reports*, wherein it is said to have been taken from the bundle of writs remaining in the office of the king's remembrancer, in the Exchequer.

- In Cumberland—Egremont.
- Devonshire—Ashperton, Sutton, Torrington.
- Dorsetshire—Blandford.
- Hampshire—Alresford, Alton, Basingstoke, Overton.
- Herefordshire—Ledbury.
- Kent—Tunbridge.
- Northumberland—Bamburg, Canebrigg.
- Somerset County—Axebrugg.
- Southampton County—See Hampshire.
- Wiltshire—Bradford.
- Worcestershire—Brem, Duddeleg, Kidderminster, Pershore.
- Yorkshire—Jarwall, Pickering, Tyckhull.

OBSERVATIONS ON THE PRESENT WORK.

Immediately after the account of the first representation of every place, are *references* to all the proceedings relative to controverted elections, and all the new writs that issued on seats being vacated by death, expulsion, accepting of places of preferment, or being called up to the house of peers.

All the proceedings that have ever been upon election matters are referred to, by shewing the time when they happened, and the volume of the Journals of the House of Commons where they are to be found. Every one conversant with the Journals, knows, that there is an index to every session, commonly called *the sessional index*. If he should want to see at large in the Journal any proceeding referred to, by having the time and volume, and looking into the *sessional index* for the correspondent time and volume, either under the word *elections*, the *name* of the place, or the word *writs*, he will see the day of the month when the matter wanted, happened, and consequently may find the page of the Journal where it is to be found.

With regard to the publication itself, the principal design of it is, to comprize in one volume whatever may be necessary to the object it embraces, and to make it answer every purpose of all the various books that have been written on the subject, which are equally voluminous and expensive; and if it can be thought to have attained that end, the Editor will have compassed every thing he had in view.

March, 1784.

HISTO-

A B I N G D O N

HISTORICAL ACCOUNT

OF THE SEVERAL

Counties, Cities, and Boroughs,

REPRESENTED IN PARLIAMENT.

ABINGTON.

THIS borough is in Berkshire, and was incorporated and enabled to send one burgess to Parliament in the 2d and 3d of Philip and Mary. The right of election is in the inhabitants paying scot and lot, and not receiving alms or any charity. The word Burgess extends to the inhabitants *within the borough*; and the electors are supposed to be about six hundred in number.

B

What

What it is to pay *scot* and *lot*, or to pay *scot* and *bear lot*, is no where exactly defined. It is probable, that, from signifying some special *municipal* or *parochial* tax or duty, they came in time to be used, in a popular sense, to comprehend generally the burthens to which the inhabitants of a borough or parish, as such, were liable. What seems the proper interpretation is, that by persons paying *scot* and *lot*, those are meant whose circumstances are sufficiently independent to enable them to contribute, in general, to such taxes and burthens as they are liable to as inhabitants of the place. In Scotland, when a person petitions to be admitted a burgher of a royal borough, he engages he will "*scot* and *lot*," that is, *watch* and *ward*; and by statute 11 Geo. I. chapter xviii. section 9, it is ascertained, that, in the election of representatives for the city of London, the legislature understood *scot* and *lot* to be as here explained.

Alms means *parochial* collection, or parish relief; and *charity* signifies sums arising from the revenue of certain specific sums which have been established or bequeathed for the purpose of assisting the poor.

*References to the JOURNALS of the HOUSE
of COMMONS, for the principal Matters
respecting the Elections of this Borough.*

Year.	Vol.	Year.	Vol.	Year.	Vol.
1566	1	1698	12	1727	21
1645	4	1705	15	1762	29
1648	5	1708	16	1768	32
1660	8	1710	16	1770	32
1677	9	1722	20	1774-5	35
1688-9	10	1723	20		

*Substance of the Case of the last controverted
Election.*

On Saturday the 4th of March, 1774-5, the
petition of Nathaniel Bayley, Esq. was read
setting forth, that at the last election for the
borough of Abingdon, in the county of Berks,
the petitioner and John Mayor, Esq. were can-
didates, *Mr. Mayor being then high sheriff of
the county of Berks.*

There were two questions in this case:

1. Whether the high sheriff of a county
may be chosen to serve in parliament
for a borough within his county?

B 2

2. Whether,

2. Whether, if he is not eligible, on such notice as was given in the present case, the votes for him are thrown away, and the other candidate, who had a smaller number of legal votes, duly elected : or whether it is a void election?

The counsel for the petitioner argued, that, by an express clause in the writ of election, the choice of sheriffs is prohibited ; and that this clause has made part of the writ for above three centuries ; and that previous to, and independent of, the ordinance or statute of the 46th of Edward III. sheriffs were ineligible at common law. Sir Edward Coke, sheriff of Buckinghamshire, they admitted, had been returned for Norfolk in the second year of Charles I. and that he sat till the dissolution of that parliament ; but that his right to sit had been called in question, and both in the Journals, and in the Debates, and the writings of his contemporaries, he is talked of as only a member *de facto*.

The counsel for the sitting member contended, that it was not necessary to comply exactly with the letter of the writ ; if it was, it might

might be made an objection to the election for a county, that a sheriff has not returned "*two knights girt with swords*;" and, by the words of the writ for Abingdon, the sheriff was commanded to return *two* burgesſes, and yet no one would inſiſt on a compliance with that injunction, ſince that borough has only a right of ſending *one*. They denied the act of the 46th of Edward III. to be a ſtatute, and ſhewed, that Mr. Child, being ſheriff of Warwickſhire, was choſen and returned for Wells, in the county of Somerſet: he was petitioned againſt; but it was adjudged that he was duly elected. It was alſo ſtated by them, that ſince the ſtatute of the 23d of Henry VI. the ſheriff is in no reſpect the returning officer for boroughs: he is obliged to accept the return ſent him, with his precept, and is merely the conduit-pipe to convey it to the clerk of the crown. The counſel further obſerved, that if ſheriffs could not be choſen members of parliament, the crown would be able to prevent any one from being elected, by taking care to make him a ſheriff before the election; by which means, in bad times, every friend to the rights of the people might be excluded from ſitting in the houſe of commons.

On Monday the 6th of March, the committee, by their chairman, informed the house, that they had determined, that neither the sitting member nor the petitioner were duly elected; and that the election was void.



AGMONDESHAM.

THE borough of Agmondesham, or Amer-sham, is in the county of Bucks, and returns two members, the right of election being in those inhabitants only who pay *scot* and *lot*. It returned members to serve in parliament in the 28th of Edward I. and in the 1st and 2d of Edward II. according to the list given in by Mr. Prynne, in the fourth part of his Calendar of Parliamentary Writs; but in his *Brevia Parliamentaria Rediviva*, he writes the return of the sheriff of Bucks 26 Edward I. The number of the electors are supposed to be one hundred and thirty.

This borough discontinued sending any members to parliament for the space of four hundred years; but the right of it to return two members

AGMONDESHAM.

7

bers being discovered by a search made in the Tower of London, amongst the ancient parliamentary writs, by Mr. *Hakewell*, of Lincoln's Inn, a warrant under the speaker's hand was made to the clerk of the crown in the chancery, for making out a writ for two members to be returned for this borough of Agmondesham, agreeable to their ancient right.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1658	7	1700	13	1727	21
1669	9	1701	13	1728	21
1680	9	1702	14	1734	22
1685	9	1705	15	1745	25
1690	10	1717	18	1754	26
1698	12	1722	20	1767	31
1700	13				

SAINT ALBANS.

THIS borough is in the county of Hertford, is a very ancient one, and was so at the time of the first writ for electing citizens and burgesses, in the 23d of Edward I. Whether it was summoned at that time is uncertain. Mr.

B 4

Prynne

Prynne writes, the first return he meets with of the sheriff of the county, relating to this borough, is in the 28th of Edward I. though he apprehends the suggestion of returning members before the 35th of Edward I. to be false, and that the return of the sheriff of the county of Hertford to his writ 28 Edward I. seems to make it appear so; for they then had a writ, but made no return. Mr. Prynne also intimates, that this was the king's opinion, who directed the Rolls to be searched; and that they made no returns until the first of Edward II. from which year, till the 5th of that king, they returned, and ceased afterwards, until King Edward VI. restored and incorporated it, and from that time it has ever returned members.

The number of the electors are supposed to be one thousand; and the following resolutions have been made respecting the right of election.

“Lunæ, 10 die Martis, 1700.

“Resolved, that the right of electing burgesſes to ſerve in parliament for the borough of St. Albans, is in the mayor, aldermen, and free-men, and ſuch householders only as pay ſcot and lot.”

“Sabbati,

SAINT ALBANS.

9

" Sabbati, 24 die Novembris, 1705.

" Resolved, that the right of electing burgesſes to ſerve in parliament for the borough of St. Albans, in the county of Hertford, is in the mayor, aldermen, and ſuch freemen only as have a right to freedom by birth or ſervice, or have it by redemption, in order to trade or inhabit within the ſaid borough, and in the householders paying ſcot and lot."

" Martis, 27 die Aprilis, 1714.

" Resolved, that the right of election of members to ſerve in parliament for the borough of St. Albans, in the county of Hertford, is in the mayor, aldermen, and freemen, and ſuch householders only as pay ſcot and lot."

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1660	8	1702	14	1722	20
1661	8	1705	15	1729	21
1668	9	1713	17	1732	22
1685	9	1715	18	1734	22
1700	13	1717	18	1742	24
1701	13				

ALD-

ALDBOROUGH, in Suffolk.

THIS borough is situated in the county of Suffolk, and never appears to have been represented in parliament until the 13th of Queen Elizabeth, when two burgesses were returned to the parliament, which began on the 2d of April, 1571. The electors are about one hundred and fifty, and on the 23d of December, 1709, the house determined, "*that the right of election is in the bailiffs, burgesses, and freemen, not receiving alms.*"

On the 16th of June 1715, a report was made from the committee of privileges and elections, on a petition from the borough; by which it appears, that an attempt had been made, notwithstanding the determination of 1709, to limit the right to the burgesses resident. This attempt had succeeded with the committee; but *they* were sensible, that the words used in 1709 would not admit of such a limited sense: they did not, therefore, make an explanatory resolution; but they first resolved,

"That it is the opinion of this committee, that the right of election of members to serve in parliament

liament for the borough of Aldborough, in the county of Suffolk, is *not* in the bailiffs, burgessees, and freemen of the said borough, not receiving alms."

And then, having removed the former determination out of their way, they proceeded to another resolution, viz.

"Resolved, that it is the opinion of this committee, that the right of election of members to serve in parliament for the borough of Aldborough, in the county of Suffolk, is in the bailiffs and burgessees *resident* within the said borough, and not receiving alms."

The house did not agree to either of the resolutions of the committee; so that the determination of 1709 continues to be the last determination of the house of the right of election in Aldborough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1641	2	1699	13	1730	21
1669	9	1708	16	1740	23
1689	10	1709	16	1773	34
1690	10	1715	18	1779	37
1691	10				

ALD-

ALDBOROUGH, in Yorkshire.

THIS borough never appears to have been represented in parliament until the year 1758. It sends two members, chosen by *all the inhabitants paying scot and lot*, who are about one hundred and twenty in number.

The house resolved in the year 1769, that the right of election lay in all the inhabitants paying scot and lot only; but in 1690, it was debated, "whether the right of election was in a *select* number of burgesses holding by burgage tenure in the said borough, or in all the inhabitants paying scot and lot;" and the committee and house came to the following resolution, "that *all the inhabitants*, paying scot and lot, have a right to vote in electing members of parliament."

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1696	11	1719	19
1647	5	1697	12	1743	24
1658	7	1698	12	1746	25
1673	9	1699	13	1756	27
1675	9	1707	15	1765	30
1676	9	1713	17	1772	33
1678-9	9	1715	18	1777	36
1690	10	1717	18	1778	36

AND OVER.

A N D O V E R.

THIS borough is situated in the county of Hants, and has sent two burgesses to parliament from the first ever summoned by Edward I. but in the first parliament of Edward II. it discontinued returning any members. It doth not appear in what manner this borough was restored, nor do the Journals of the House of Commons afford any account thereof, nor any thing relating to the election, until the 30th of April, 1641. The right of election is in the bailiff, and a select number of burgesses only.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1647	5	1700	13	1727-8	21
1654	7	1701	13	1729	21
1672	9	1702	14	1730	21
1678	9	1710	16	1733	22
1679	9	1713	17	1742	24
1680	9	1714	18	1749	25
1688-9	10				

A N G L E S E A.

A N G L E S E A.

THIS is one of the twelve Welch counties empowered to send a knight of the shire to parliament by the statute of 27th of Henry VIII. The first return was in the 33d of that king. There does not appear to have been any contested election for this county until the present century: but it appears that the principality of Wales returned representatives to parliament as early as the 15th year of Edward II. twelve out of each province of North and South Wales; but whether they were chosen by the particular counties or provinces is uncertain; nor were there after any farther returns till King Henry VIII.'s time, as before mentioned.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1722-3	20	1725	20	1728	21
1724	20	1727	21	1770	32

ANGLESEA
APPLEBY.

APPLEBY.

THIS was a borough, and a mayor town, and sent members 23d Edward I. and has continued so to do till this time. The number of voters are one hundred and twenty; and the right of election is in those holding burgage tenure.

References to the JOURNALS:

Year.	Vol.	Year.	Vol.	Year.	Vol.
1667	9	1710	16	1741	24
1680	9	1713	17	1754	27
1689	10	1722	20	1755	27
1694	11	1723	20	1766	31
1697	12	1724	20	1767	31
1700	13	1725	20	1772	34
1701	13	1729	21		

 ARUNDEL.

THIS borough is in the county of Suffex, and hath sent burgesses from the time of King Edward I. There are no memoirs concerning its elections till 1623. The right of election

election is only in the inhabitants of the said borough paying scot and lot, who are about two hundred in number.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1623	1	1693	11	1717	18
1640	2	1700	13	1727	21
1641	2	1708	16	1739	23
1642	2	1709	16	1771	33
1645	4				

ASHBURTON.

THIS borough is in Devonshire, and returned burgesses in the 26th of Edward I. and intermitted till the 8th of Henry IV. and then ceased until 1640, when it was restored. The voters are about two hundred; and the two following resolutions have been made respecting the right of election. In the year 1707, it was determined, that the right of election lay in the freeholders having lands or tenements holden of the said borough only; but in the year 1710, the house of commons also resolved, "that the freeholders of the lands and tenements

tenements called *Halfbanger* and *Holwell Lands*, lying within the borough of Aishburton, and subject to pay a borough rent, have a right to vote for members to serve in parliament.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1707	15	1727	21
1676	9	1708	16	1734	22
1678	9	1710	16	1761	29
1680	9	1713	17	1767	31

AYLESBURY.

THIS borough is in the county of Buckingham. It was incorporated by Queen Mary in the year 1553, and sent representatives to parliament the next year. They were chosen by the bailiff, nine aldermen, and twelve burgesses; but, by neglect of keeping up the community, the corporation became dissolved. There are about five hundred and fifty voters. The right of election is in all the householders of the said borough not receiving alms. All per-

sons receiving alms without the borough of Aylesbury, pursuant to the will of Mr. Bedford, or any other persons receiving any other charity annually distributed within the said town, are, in respect thereof, also disabled from voting in the election of burgeses to serve in parliament for the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1702	14	1727	21
1645	4	1703	14	1727	21
1691	10	1704	14	1728	21
1695	11	1705	15	1756	27
1698	12	1708	16	1757	27
1698	12	1709	16	1762	29
1701	13	1713	17	1764	29

B A N B U R Y.

THIS borough was incorporated by Queen Mary, and then had the privilege of sending one member to parliament. The right of election is in the mayor, aldermen, and capital

BARNSTAPLE.

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pital burgesses only, no more than nineteen in number.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1662	21	1700	13	1746	25
1640	2	1705	15	1759	28
1681	9	1722	20	1766	31
1690	10	1729	21	1767	31
1691	10	1733	22		
1698	12	1740	23		

BARNSTAPLE.

THIS borough is in the county of Devon, and was first incorporated by King Henry I. King John afterwards gave it a mayor; and Queen Mary ordained two aldermen and a common council. All its privileges have been ratified by King James I. It hath been represented in parliament from the 28th of King Edward I. to this time. The right of election is in the corporation and burgesses, about three hundred and twenty-six in number.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1641	2	1680	9	1740	23
1646	4	1685	9	1747	25
1667	9	1717	18	1766	31
1676	9	1721	19	1774	35
18	10	18	20	18	36
18	11	18	21	18	37
18	12	18	22	18	38

B A T H.

THIS city is in the county of Somerset, and has been a city from the time of William the Conqueror, or his successor Rufus. It has returned members to parliament from the 26th of Edward I. and so continued to do till this time. The ancient method of election was by the mayor and three citizens being sent from hence to the county court, who, in the name of the community, and by assent of the community, returned their representatives. The last charter of incorporation is 32 Elizabeth. In the year 1706 it was determined by the House of Commons that the right of election is in the mayor, aldermen, and common council. The number of electors are thirty.

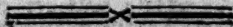
References

BEAUMARIS.

21

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1705-6	15	1756	27
1645	4	1715	18	1757	27
1661	8	1719	19	1763	29
1669	9	1727	21	1766	31
1675	9	1732	32	1775	35
1691	10	1747	25	1777	36
1693	11	1751	26		



BEAUMARIS.

BY an act of parliament in the 27th of King Henry VIII. c. 26, the twelve counties, and as many towns in Wales, were privileged to send members to parliament. The first returns were in the 33d of King Henry VIII. and Newborough, now a decayed village, was the town of the county of Anglesea; but being exempted by act of parliament the 2d. of Edward VI. the privilege was limited to this borough, which has returned ever since. The right of election is in the mayor, bailiffs, and capital burgesses of the said borough, twenty-four in number.

C 3

References.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	5	1722	20	1739	21
1703	14	1724	20	1739	23
1708	16	1727	21	1753	26
1709	16	1728	21		

BEDFORDSHIRE.

THIS county was joined under the same sheriff with the county of Bucks, and hath returned representatives from the time of the first summons to parliament in the 22d of Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1664	8	1715	18	1753	26
1698	12	1732	22	1758	28
1699	13	1734	22	1767	31

BEDFORD

BEDFORD TOWN.

THIS borough is in the county so called, and was made capable of sending burgesses to parliament so early as the 23d of Edward I. which it has continued to do ever since. It is a corporation, consisting of a mayor, recorder, deputy recorder, two bailiffs, thirteen common-council men, and an uncertain number of aldermen, but not to exceed twelve. By a resolution of the 12th of April, 1690, it was resolved, that the right of election lay *in the burgesses, freemen, and inhabitants, being householders of Bedford, not receiving alms*; and by another resolution of the 15th of March, 1775, it was resolved, "That persons receiving *Sir William Harpur's* charity are not thereby disqualified, within the meaning of the determination of the 12th April, 1690, from voting for members of parliament for Bedford."

The *difference* between a burgess and a freeman in Bedford is, that all the sons of a burgess are entitled to be burgesses, and only the eldest son of a freeman is entitled to be a freeman. The magistrates are all chosen out of the burgesses; and in 1775 the committee for deter-

mining controverted elections were of opinion, that the words *householders* do not refer to *burgesses* and *freemen*, but to *inhabitants only*.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1606	1	1697	12	1725	20
1641	2	1705	15	1727-8	21
1654	7	1707	15	1730	21
1661	8	1710	16	1740	23
1667	9	1713	16	1764	29
1690	10	1715	18	1774	35

Substance of the last Case concerning the Elections of Bedford.

The petitioners were, Samuel Whitbread, Esq. and John Howard, Esq. and certain burgesses, freemen, and inhabitants, being freeholders of Bedford, and electors for that borough.

The petition of Mr. Whitbread and Mr. Howard accused the returning officer of partiality, and the sitting members of bribery. The other alleged, that the mayor, aldermen, and other officers of the borough, had, previous to the election, got a majority of *pretended* electors under their own influence, with a design

sign to render the election of the members for the borough subservient to the will of the corporation; that they had corruptly made offers to one or more persons to procure them to be elected, in consideration of a large sum of money to be paid them; and that the returning officers had been guilty of corrupt, partial, and illegal practices.

The counsel for the petitioners contended, first, that the expression, "*being householders of Bedford*," was to be applied as well to the *burgesses* and *freemen* as to the inhabitants; or, in other words, that *non-resident* burgesses and freemen have no right to vote.

The committee declared themselves satisfied of the usage since 1730; and the counsel did not produce any evidence to shew that at any previous period the usage was that non-resident burgesses and freemen were not admitted to vote.

The second point was, that the corporation of Bedford could not admit burgesses or freemen, unless persons who had either an antecedent inchoate right by birth or servitude, or who had acquired such a right by redemption, that is, by paying a real substantial consideration

tion in money for their freedom: that *honorary* burgesses and freemen, therefore, were, in fact, neither burgesses nor freemen, and could have no right to vote.

The counsel for the petitioners next contended, that the votes of those who had been objected to as *non-resident* and as *honorary* burgesses or freemen, were also void, as being occasional.

The committee were of opinion, that the words, "*being householders of Bedford*," contained in the resolutions of the house of commons of the 12th of April, 1790, does not refer to the *burgesses* and *freemen*, but to the inhabitants only.

They likewise said (though not in the formal words of a resolution), "That they were clear in their opinion, that the objection of occasionality did not lie against freemen made above a year before the election."

They delivered no opinion concerning the right of the corporation to make *honorary* burgesses and freemen.

A fourth point the counsel for the petitioners put, was, whether the persons having received a charity, called *Harpur's* charity, within a year

year before the election, were entitled to vote, or whether such persons are disqualified under the words "*receiving alms*," in the last determination.

The committee were of opinion, "That persons receiving *Sir William Harper's* charity are not thereby disqualified, within the meaning of the determination of the 12th April, 1690, from voting for members of parliament for Bedford."

The counsel for the petitioners also contended, that they ought to add 36 voters (inhabitants and householders) to the poll, who had been rejected because they had come into the parishes where they reside in Bedford with *certificates* from other parishes. To this the leading counsel for the sitting members agreed, and also admitted that the majority then stood in favour of the petitioners; but they had many votes they intended to object to, which had been given in favour of the petitioners, on which they proceeded to add other votes which had been rejected by the returning officers.

Then the counsel for the sitting members went through their evidence and arguments on several new heads of objection.

The

The different points in this last part of the case, and the evidence and arguments concerning them, were as follow:

The counsel for the petitioners endeavoured to support, and the counsel for the sitting members objected to, the votes of,

Vith Point, Persons having received of a charity called *Hawes's* charity.

VII. Persons having received of a charity called *Welborn's* charity.

VIII. The master and brethren of an hospital called *St. John's Hospital*.

IX. Freemen who had received parish relief within a year before the election.

X. Freemen who had an inchoate right to their freedom, but were admitted in a particular way, different from the customary mode of admission for such freemen, and within a year before the election.

The committee determined,

I. That the persons who received *Hawes's* charity were not thereby disqualified.

II. That the persons who voted, having received *Welborn's* charity, were thereby disqualified.

III. That the master and brethren of *Saint John's Hospital* were not disqualified from voting.

IV. That

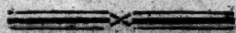
IV. That the word "*alms*," in the resolution of 1690, refers to burgesſes and freemen, as well as to inhabitants, householders of Bedford.

V. That the fix perſons who tendered their votes at the laſt election, being admitted within the year, or twelvemonth, by the common council, had not a right to vote.

The committee likewiſe reſolved, that they would not reject any perſon's vote (not otherwiſe diſqualified) for receiving alms, provided he had not received the ſaid alms within the year.

The committee determined, *That Sir William Wake, Bart.* was duly elected; and

That Samuel Whitbread, Eſq; the petitioner, was duly elected, and ought to have been returned.



B E D W I N.

THIS is a very ancient borough, ſituated in the county of Wilts, and ſent burgeſſes to parliament in the 30th year of King Edward I. alſo to the 1ſt and 8th of Edward II. and 33d, 36th, and 37th of Edward III. to the 6th and

and 7th of King Richard II. and after the 10th year of that King intermitted until the 9th of Henry V. except the first of Henry IV. and so continued until the 12th of Henry IV.

There are *eighty electors*, and the right of election is in the freeholders and inhabitants of burgage messuages.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1707	15	1756	27
1645	4	1711	16	1766	39
1660-1	8	1711	16	1768	31
1662	8	1722	20	1768	32
1672	9	1727-8	21	1770	32
1694	11	1729	21	1771	33
1698	12	1732	21	1774	35
1699	13	1734	22		
1705	15	1738	23		

BEREALSTON.

THIS borough is in the county of Devon: it is a very small place, and never returned members to parliament till the 27th of Queen Elizabeth, when it was summoned so to do. The right of election is in the freehold tenants
of

B E R K S H I R E. 31

of the said borough, holding by burgage tenure, and paying three-pence per annum, or more, ancient burgage-rent, to the lord of the said borough, and in them only. There are about seventy electors.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1688	10	1717	18
1641	2	1689	10	1721	19
1645	4	1691	10	1723	20
1658	7	1694	11	1727	21
1660	8	1695	11	1730	21
1661	8	1698	12	1733	22
1665	2	1700	13	1739	23
1666	2	1705	15	1753	26
1678	9	1715	18	1771	33

B E R K S H I R E.

THIS county was joined in the same writ with Oxon, and hath returned knights of the shire to parliament from the time of the first summons of that sort, in the 22d of Edward I.

References

32 BERWICK UPON TWEED.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1712	17	1757	27
1676	9	1722	20	1766	30
1678	9	1731	21	1772	34
1685	9	1733	22	1772	35
1689	10	1739	23		
1690	10	1746	25		

BERWICK UPON TWEED.

THIS borough was taken from the Scots in the 24th year of King Edward I. and has belonged to England ever since, and was incorporated by charter 2 James I. which was confirmed by act of parliament. The first return of burgesſes to parliament was in the time of Henry VIII. The right of election is in the freemen, about five hundred in number.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1678	9	1740	23
1657	7	1695	11	1745	25
1660	8	1701	13	1754	27
1664	8	1711	17	1755	27
1665	8	1722	20	1765	30
1666	8	1723	20		
1676	9	1739	23		

BEVERLEY.

(33)
BEVERLEY.

THIS borough is in the county of York, and sent burgesses to all King Edward I.'s parliaments. It had three summons in Edward II.'s time, but made no returns; nor from thence to Queen Elizabeth's time; and in the 6th year of that reign it was restored. The right of election is in the corporation and free-men, of whom there are about twelve hundred.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1689	10	1728	21
1660	8	1722	20	1737	23
1685	9	1727	21	1772	33

BEWDLEY.

THIS borough is in the county of Worcester; and Doctor Willis writes, that Mr. Prynne has set it down to have anciently sent a representative to parliament, but he is supposed to be mistaken. Mr. Bohun writes also, that it returned two members in the 26th of Edward I. Mr. Carew says, as to the former, he cannot find any grounds for the asser-
D tion;

tion; and as to the latter, he thinks it a mistake. It was incorporated in the 12th of Edward IV. and had greater privileges granted in the 22d of Henry VII. and in the first of Henry VIII. had another charter, affirming its privileges.

In the 3d of James I. they were incorporated by the name of Bailiff and Burgeses; and therein is a grant of sending one member to parliament, which, it recites, had been for some time before discontinued, and appoints the bailiff and burgeses, whether inhabitants or not, to be the electors. There has been since some alteration in the constitution, in the reigns of King Charles II. James II. and Queen Anne, which occasioned some disputes in the house of commons.

The right of election is *in the bailiff and burgeses, appointed by the charter of the 3d of James I. exclusive of all others.*

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1678-9	9	1734	22
1646	4	1694	11	1748	25
1648	5	1705	15	1754	27
1662	8	1708	16	1762	29
1673	9	1710	16	1768-9	32
1676	9	1715	18	1777	36

BISHOPS-

BISHOPS - CASTLE.

THIS borough is in the county of Salop, was iacorporated by Queen Elizabeth, in the fifteenth year of her reign, and called upon to return members to parliament, in the 27th year of her reign. The right of election is in the bailiff and all the burgessees within the said borough, who amount to about one hundred.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1710	16	1753	26
1690	10	1713	17	1754-5	27
1694	11	1715	18	1763	29
1695	11	1716-7	18	1770	32
1698	12	1719	19	1771	33
1699	13	1722	20	1778	36
1700-1	13	1723-4	20	1779	37
1702	13	1725-6	20	1780	37
1705	15	1744	24		

BLETCHINGLY.

THIS borough is in the county of Surrey, and has returned members to parliament from the 23d of King Edward I. The

D 2

representatives

representatives were elected in the county court, the 2d of Henry V. as appears by the sheriff's return of that year. The right of election is in the borough-holders only, without the bailiff, who are about ninety in number.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1623	1	1695	11	1744	24
1624	1	1702	14	1769	32
1640	2	1715	18		
1689	10	1724	20		

B O D M I N.

THIS borough is in the county of Cornwall, was created a borough by charter of Richard Earl of Cornwall, which charter was recited and partly confirmed by King Edward I. It has returned members of parliament from the 23d of Edward I. as appears by *Doctor Willis's* List. Its present government, which was constituted by charter of 15th of James I. is by a mayor and thirty-six burgesses. The voters are thirty-six in number, and the right of election is in the mayor, aldermen, and common-council.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1693	11	1725	20
1646	5	1702	14	1726	20
1647	5	1706	15	1732	22
1660	8	1717	18	1753	26
1661	8	1722	20	1762	29

BOROUGHBRIDGE.

THIS borough is in the county of York. Queen Mary first summoned it to send representatives to parliament in 1553. The voters are sixty-five, and the right of election is in the *burgage-holders*.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1647	5	1717	18	1754-5	27
1673	9	1720	19	1757	27
1675	9	1722	20	1767	31
1675	9	1742	24	1772	34
1689	10	1746	25	1775	35
1690	10	1750	25		
1715	18	1753	26		

BOSSINEY.

THIS borough is situated in the county of Cornwall, and was anciently made a borough by Richard Earl of Cornwall, in Henry III.'s time, but was never represented in parliament until King Edward VI.'s time. There are twenty voters, and the right of election is in the freemen in the borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1552	1	1694	11	1751	26
1640	2	1700	13	1757	27
1646	6	1710	16	1765	30
1658-9	7	1713	17	1769	32
1660	8	1720	19	1770	32
1661	8	1737	22	1776	35
1672	9	1741	24		
1685	9	1746	26		

B O S T O N.

THIS borough is in the county of Lincoln, and sent to three councils in 11, 26, and 27th of Edward III, but never sent members to parliament

parliament until Edward VI.'s time. It was incorporated in the last year of King Henry VIII. and made a free borough.

In 1628 it was agreed by the committee, that the election of burgesses in *all* boroughs did, of common right, belong to the commoners, and that nothing could take it from them *but a prescription and constant usage beyond all memory*. It was at the same time resolved, that the right of election for burgesses to serve in parliament for the borough of Boston resteth in the *commonalty*, and not in the mayor, aldermen, and common-council. In 1711 it was also resolved, that the right of election is only *in the mayor, aldermen, common council, and freemen* of the said borough, paying scot and lot; and by another resolution in the year 1719, it was determined to be only in the mayor, aldermen, common council, and freemen of the said borough, *resident in the borough*, who pay scot and lot, *such freemen claiming their freedom by birth or servitude*. The number of the voters are about two hundred.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1562	1	1679	9	1722	20
1628	1	1690	10	1723	20
1661	8	1711-12	17	1729	21
1663	8	1713-14	17	1766	31
1666	8	1719	19	1777	36

BRACKLEY.

THIS borough is in the county of Northampton. It never sent members to parliament until the first year of King Edward VI. The number of voters are thirty-three, and the right of election is in the *mayor, alder men, and burgessees of the said borough.*

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1661	8	1713-14	17	1741	24
1691	10	1716	18	1755	27
1698	12	1720	19	1765	30
1705	15	1725	20	1772	33
1710	16	1732	22		

BRAMBER.

BRAMBER

THIS borough is in the county of Suffex, and sent burgesſes to parliament ſo early as the 22d of Edward I. It afterwards intermitted ſending, and ſometimes ſent in conjunction with Steyning, before the 7th of Edward IV. The number of voters are about twenty, and the right of election is in the perſons inhabiting ancient houſes, or in houſes built on ancient foundations, paying ſcot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1701	13	1722	20
1645	4	1703	14	1727-8	21
1658	7	1705	15	1751	26
1661	8	1707	15	1761	29
1690	10	1708	16	1762	29
1698	12	1710	16	1768	32
1700	13	1715	18	1769	32

BRECKNOCK COUNTY.

THIS is one of the twelve Welch counties which claim and have a right to ſummons for election of a knight to repreſent them, by virtue of the ſtatute of the 27th of Henry VIII.

References

References to the JOURNALS.

1648	6	1685	9	1734	22
1656	7	1695	11	1735	22
1658	7	1696	11	1761	29
1661	8	1722	20	1769	32

BRECON TOWN.

THIS is the shire-town of the county, and is entitled to send one burges to parliament. It was incorporated in 1555 by charter of Queen Mary, and has two bailiffs, twelve aldermen, and fifteen common-council men. The right of election is in the corporation and free burgeses.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1627	1	1690	10	1727	21
1640	2	1698	12	1740	23
1645	4	1699	13	1763	29
1661	8	1709	16	1769	32
1678	9	1713	17	1772	33
1679	9	1722-3	20	1778	36
1685	9				

BRIDGE.

BRIDGENORTH.

THIS borough is in the county of Salop, and sent members to parliament from the 28th of Edward I. There are about seven hundred electors, and the right of election is in the corporation and freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year	Vol.
1609	1	1698	12	1734	22
1646	4	1699	12	1766	30
1663	8	1710	16	1772	33
1679	9	1725	20	1778	36

BRIDGEWATER.

THIS is an ancient borough in the county of Somerset, so created in the time of King John. It has been represented in parliament ever since the 26th of Edward I. Before this time, they were chosen by deputation in the county court. There are three hundred voters, and the right of election is in the majority of the corporation, consisting of a mayor, aldermen, and
twenty-

twenty-four capital burgesſes, being inhabitants of that diviſion of the ſaid pariſh of Bridge-water, which is commonly called the Borough, paying ſcot and lot within the ſaid diviſion, and in them only.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1692	10	1744	24
1645	4	1699	13	1753	26
1656	7	1709	16	1762	29
1669	9	1720	19	1763	29
1678	9	1724	20	1768-9	32
1679	9	1730	21		
1691	10	1734	22		

B R I D P O R T.

THIS borough is ſituated in the county of Dorſet. Whether it was a borough at the time of the general ſurvey, doth not appear, but it then had within it 120 houſes, which paid gelt or tribute to the King, as appears by the record in Domeſday Book. This record mentions there was there a mint, and one mint maſter, which, by the laws of King Athelſtan, could not be but in walled towns or boroughs; but

but it is certain it was a borough in King Henry III.'s time, being then so created by his charter, in the 37th year of his reign. The corporation (which is established by King Richard II.'s charter) consists of two bailiffs and thirteen burgeses. By the charter of King Richard, the burgeses had liberty to chuse one or two bailiffs; and the charter of King Henry III. is thereby confirmed. In the 17th of James I. it obtained another charter, wherein it is recited, that this borough is incorporated by the name of bailiffs and burgeses, and to consist of two bailiffs, to be chosen yearly by the burgeses; and the corporation is to consist of fifteen burgeses, of which the bailiffs are to be two, and to have power to chuse a recorder, and other privileges. It has returned burgeses to parliament from the 23d of Edward I. who were elected in the county courts by deputation, 2 Henry V.

There are about 250 electors; and the right of election has been determined by the following several resolutions. In the year 1628, it was resolved, that the commonalty in general of the borough of Bridport, in the county of Dorset, ought to have voices in the election of
burgesses

burgesses for parliament; and in the year 1715, it was determined *to be in all the inhabitants not receiving alms*; and, by another resolution of 1762, it was determined, that, in the last determination for the borough of Bridport, the words "*commonalty in general*" extend only *to inhabitants, householders, paying scot and lot.*

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1575	1	1690	10	1729	21
1625	1	1695	11	1741-2	24
1628	1	1697	12	1744	24
1645	4	1715	18	1746	25
1675	9	1717	18	1747	25
1676-7	9	1719	19	1761-2	29
1680	9	1722	20	1765	30
1685	9	1727	21		
1689	10	1728	21		

B R I S T O L.

THIS was anciently a borough in the county of Gloucester, and as such returned burgesses to parliament in the 26th of Edward I. as appears by Prynne; from that time to the 47th of Edward III. when it was made a county within itself. There are about five thousand

thousand electors; and the right of election is in the freeholders having freeholds of forty shillings a year, and the free burgesſes. In the 12th of Henry IV. the indenture was between the ſheriff, on the one part, and the the mayor and 29 burgesſes by name, on the other part, who choſe Thomas Norton and David Dudbroke, merchants.

Thus was the form of election and returns until the 13th of Henry VI. after which the form of the Writ and Return was altered. The Writ of the 25th of Henry VI. is enlarged greatly by inserting the new ſtatutes, as alſo the returns, the creating the county, &c. Thus it continued until the 33d of Henry VIII. when, being made a Biſhop's ſee, it became a city, and ſo remains to this time.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1713	17	1756	27
1661	8	1715	18	1759	28
1666	8	1716	16	1766	31
1677	9	1717	18	1768	32
1680	9	1734-5	22	1774-5	35
1685	9	1739	23		
1689	10	1742	24		

Subſtance

Substance of the Case of the last controverted Election.

On Saturday the 11th of February, 1774, the committee being met, the petition of Matthew Brickdale, Esq. and also the petition of certain freeholders and free burgesses of the city and county of the city of Bristol, were read.

Mr. Brickdale's petition stated, that, at the election, the petitioner, together with Robert Craggs, Lord Viscount Clare, of the kingdom of Ireland, and Henry Cruger, jun. Esq. and no other persons, were candidates; that a poll was then demanded for each of the three candidates, proceeded upon, and adjourned to the following day; that on the succeeding day Lord Clare declined proceeding on the poll; and that Mr. Brickdale, the petitioner, having on that day a majority of votes, ought to have been declared duly elected, and to have been returned; but that Edmund Burke, Esq. was on the same day (October the 8th) first named a candidate; and the sheriffs afterwards, on the 10th of October, and not before, unjustly and illegally awarded a poll to be taken for Mr. Burke, notwithstanding the protestation of Mr.

Brickdale,

Brickdale, and many of the electors, to the contrary: that many persons were admitted to the freedom of the city after the date and issuing forth of the writ, and that they were illegally admitted by the sheriffs to poll for Mr. Burke and Mr. Cruger, contrary to the ancient usages and customs of the city; that divers persons, not legally admitted to their freedom, nor having any right to vote, were admitted to poll for Mr. Burke and Mr. Cruger; that Mr. Burke and Mr. Cruger, by themselves and their agents, and others by their privity and direction, before and during the poll, were guilty of bribery; and that by all these means Mr. Burke and Mr. Cruger obtained a pretended majority, and were returned; whereas Mr. Brickdale was, duly elected, and ought to have been returned.

From the allegations just stated, it appears that there were several questions in this case.

I. Whether a person may be elected, who becomes a candidate on a day subsequent to that on which the election was appointed to be holden, and on which the poll commenced?

II. Whether persons admitted to the freedom of the city of Bristol after the date and

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issuing

issuing of the writ for an election of members of parliament for that city, have a right to vote at such election?

III. Whether Mr. Burke and Mr. Cruger, or either of them, were guilty of bribery?

After counsel being heard on both sides, and due deliberation thereon, the committee declared by their chairman,

1st, That Mr. Burke was eligible;
2dly, That the admissions after the test of the writ were good and valid.

During the course of the evidence produced by the counsel for the petitioners, in order to support their charge of bribery, a witness was called to prove the payment of money by a supposed agent of Mr. Cruger's. On this an objection was taken to their examining any witness as to the payment, till they should first bring proof of the agency. It was argued, that the circumstances which would establish both points were so complicated that they could not be separated. The point was debated, and the committee, having cleared the court, after some deliberation among themselves, over-ruled the objection.

On

BUCKINGHAMSHIRE. 51

On Monday the 20th of February, the committee, by their chairman, informed the house that they had determined,

That Henry Cruger, the younger, Esq. and Edmund Burke, Esq. the sitting members, were duly elected.



BUCKINGHAMSHIRE.

THIS county is under the same sheriff with Bedford, and hath returned knights of the shire from the first returns to parliament.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1549	1	1660	8	1716	18
1603-4	1	1685	9	1717	18
1606	1	1695	11	1727	21
1640	2	1696	11	1728	21
1645	4	1704	14	1779	37
1647	5	1705	15		

BUCKINGHAM BOROUGH.

THIS is the capital, or shire-town, of the county of this name. It was a borough at the time of the Conquest, and had twenty-seven burgesses. In the time of Edward III. it had a mayor and two bailiffs, and was represented by three persons in council held in the 11th of that reign, but never sent burgesses to parliament until the 36th of Henry VIII. from which time it has ever continued so to do. The first return was between the sheriff of the county, of the one part, and Thomas Atkins, bailiff, and the burgesses, of the other part; and in the two parliaments of King Edward VI. they were returned in the same manner; but in the first of these three are eleven burgesses named. After this Queen Mary incorporated it, and appointed therein a bailiff, and twelve principal burgesses, and empowered them to elect and return two burgesses to parliament, and these have continued so to do to this time.

The right of election is in the bailiff and twelve burgesses only.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1697	12	1744	24
1660	8	1698	12	1753	26
1678	9	1705	15	1756	27
1680	9	1713-14	17	1762	29
1685	9	1715	18	1763	29
1688	10	1717	18	1766	31
1689	10	1722	20	1770	33
1690	10	1726	20		
1695	11	1727	21		

CALLINGTON.

THIS borough is situated in the county of Cornwall, and was never represented in parliament until the 27th of Queen Elizabeth. The number of voters are about one hundred, and the right of election is in the inhabitants three years housekeepers.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1685	9	1723	20
1660	8	1703	14	1748	25
1665	8	1719	19	1756	27
1680	9	1722	20	1778-9	37

C A L N E.

THIS borough is situated in the county of Wilts, and returned members to parliament from the 23d of Edward I. as Doctor Willis writes ; but Mr. Prynne begins his Catalogue, and writes, it returned from the 28th to the 36th of that reign, and from thence ceased (except in the 1st of Edward II. and 33d, 34th, and 36th of Edward III.) until the 2d of Richard II. and since hath continued to return to this time. Its representatives were elected in the county court in 1 Henry V. as appears by the return for the county of that year.

The right of election was made in the inhabitants having a right of common, and being sworn at Ogborn court, by a resolution in 1710 ; but since that time there has been another determination in 1723, making it in the ancient burgesses only ; and also another in the same year, and which is the last, resolving it to be *in the guild stewards of the said borough*, who are thirty-four in number.

References.

References to the JOURNALS.

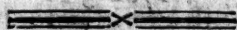
Year, Vol.	Year, Vol.	Year, Vol.
1605 1	1701 13	1734 22
1645 4	1705 15	1735 22
1678 9	1708 16	1743 24
1685 9	1710 16	1757 27
1691 10	1715 18	1762 29
1698 12	1722-3 20	1766 30
1700 13		

CAMBRIDGESHIRE.

THIS county (which was joined with Huntingdon under one sheriff) contains also the isle of Ely, and hath been represented from the times of the first returns to parliament; the isle of Ely being at first contributory towards the wages, and, as Doctor Willis says, (unwillingly paid a third part, which was often disputed; and in Henry V.'s reign they raised and paid 200l. to be discharged therefrom. In this Mr. Prynne agrees, and writes, the agreement between the county and the isle was confirmed by act of parliament, and an estate was purchased with the money, as appears by the conveyances.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1614	1	1693	11	1716-17	18
1623-4	1	1697	12	1764	29
1640	2	1715	18	1770	33
1645	4				



CAMBRIDGE UNIVERSITY.

THIS univerfity is within the town of this name, and capital of the county. It is of great antiquity, and was empowered to fend burgefles to parliament by King James I. by diploma or charter, dated March the 12th, 1603. The return is made by the vice-chancellor, and the electors are the doctors and actual mafters of the univerfity.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1720	19	1770	32
1689	10	1742	24	1771	33
1692	10	1757	27	1779	37
1712	17	1761	28		

CAM.

CAMBRIDGE TOWN.

THIS is the capital town of the county of this name, was a corporation in the time of King Henry I. and had a mayor at the time of Henry III. The parliament was held here in the 12th of Richard II. and it has returned members from the 26th of Edward I. As to its ancient method of election, the burgesses were chosen in the county court, in the 2d of Henry V. 4th, 6th, 11th, 14th, and 29th of Henry VI. and 17th of Edward the IV.

In the 2d of Henry V. the election was by twelve burgesses only ; but after that only eight electors are mentioned in the return, and so they continued until the 22d of Henry IV. but in the return 27th and 29th Henry VI. there are only eight electors (*named*) for the community of the borough, according to the custom of the liberty of the town.

There are about two hundred voters ; and the right of election is in the mayor, bailiffs, and freemen, not receiving alms.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year	Vol.
1620	1	1736	22	1757	28
1679	9	1744	24	1758	28
1708	16	1746	25	1764	29
1709	16	1748	25	1769	32
1712	17	1755	27	1776-7	36
1715	18				

CAMELFORD.

THIS borough is in the county of Cornwall.

It was first represented in parliament in the time of Edward VI. though created a borough by Richard Duke of Cornwall, and confirmed by Henry III. in 1259, and its privileges renewed by Queen Mary.

By a resolution in the year 1709 it was resolved, that the right of election lay in the mayor, bailiffs, and freemen, not receiving alms.

The committee in 1715 formed a resolution, but which the house did not agree to, that the mayor, bailiffs, and burgeses of the town of Cambridge, may hold a summons common-day court,

court, and admit freemen without six aldermen of the said town being then present. The number of voters are about two hundred.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1558	1	1660	8	1710	16
1625	1	1661	8	1711	16
1646	5	1678	9	1711	17
1647	5	1703	14	1759	28
1658	7	1708	16	1776	39
1665	8	1709	16		

CANTERBURY.

THIS is a very ancient city, and the seat of the primate and metropolitan of all England.

It was formerly the residence of the kings of Kent, and was very early called *caput imperii*, the head of the empire. In the time of William Rufus it seems to have been the property of the archbishops, particularly Lanfranc, and his immediate successor Anselm. Yet this city had a portreeve to superintend and rule over it. Soon after it was governed by bailiffs; but they were not

not elective by the citizens, till King Henry III.'s time, in which state it continued till the 6th year of King Henry VI.'s reign, when the government of it was changed into a mayoralty, as may be seen in Somner's History of it, where their names are inserted. Here are a mayor, recorder, sheriff, twelve aldermen, and twenty-four common-council men. It hath returned members of parliament from the 26th of Edward I. to this time, as appears by the list of all the returns extant. There are about one thousand electors ; and the right of election is in the citizens and freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1648	6	1711	17	1734-5	22
1663	8	1715	18	1745	23
1695	11				

CARDIFF.

THIS is the shire-town of the county of Glamorgan, and as such, in conjunction with Aberavon, Cowbridge, Kenfigg, Llantrissant, Lougher,

CARDIGANSHIRE. 61

Lougher, Neth, and Swansey, is entitled, by the statute 27th Henry VIII. to send one bur-
gess to parliament. It has several ancient char-
ters, which are all recited in the charter of the
23d of Queen Elizabeth, and confirmed. This
corporation consists of a mayor, two bailiffs,
twelve aldermen, and twelve common-council
men; and the mayor is constable of the castle.
There are about one thousand voters; and the
right of election is in the burgesses of the above
towns.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1705	15	1735	22
1660	8	1726	20	1765	30
1661	8	1728	21		
1678	9	1734	22		

CARDIGANSHIRE.

THIS is one of the twelve shires of Wales,
which were empowered to send mem-
bers to parliament by the statute in 27th of
Henry VIII. and hath ever since returned re-
presentatives.

References

62 CARDIGAN TOWN.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1708	16	1741	24
1656	7	1709	16	1755	27
1660	8	1715	18	1768	32
1688-9	10	1716	18	1770	32
1690	10	1717	18		
1694	11	1727	21		

CARDIGAN TOWN.

THIS is the shire-town of the county of this name, which, in conjunction with the boroughs of Aberistwyth and Adpar, is entitled to send one burgeses to parliament. By the charter of King Richard II. it was empowered to chuse a mayor and two bailiffs; but by a later charter, viz. in the 23d of Queen Elizabeth, it consists of a mayor, two bailiffs, and twelve aldermen.

There are about twelve hundred voters; and, by a resolution of 1730, it was determined, that the burgeses of the borough of Tregaron have not a right to vote in the election of a burgeses to serve in parliament for the town of Cardigan. By another resolution of the same date, it was resolved, that the right of election of a burgeses to serve in parliament for the town

of

of Cardigan, in the county of Cardigan, is in the burgeses at large of the boroughs of Cardigan, Aberistwyth, Lampeter, and Adpar only. By a third resolution of 1775, it was determined by the committee, that persons whose admissions were entered on stamps *before* they voted, but *after* the poll began, were not, *on that account*, disqualified from voting at the last election; and, by a fourth resolution of the same date, it was determined, that persons, whose admissions were stamped within twelve kalendar months before the election, were legal voters within the meaning of the act of 3 George III. c. 15.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1604	1	1724	20	1768-9	32
1646	4	1729-30	21	1769	32
1660	8	1741	24	1774	35
1662	8	1742	24	1775	35
1693	11	1743	24	1780	37
1709-10	16	1744	24		
1711	17	1745	25		

Substance of the Case of the last controverted Election for Cardigan.

The sitting member was Sir Robert Smyth, Bart. and the petitioners Thomas Johnes, Esq.
and

64 CARDIGAN TOWN.

and sundry burgesses of Cardigan, Aberistwyth, and Lampeter.

The committee met on the 20th of November, and proceeding to business, the two petitions were read.

They were both nearly in the same words, and stated, that Mr. Johnes had a majority of legal voters, but that the returning officer permitted persons to poll who had no legal right to vote, and rejected the votes of divers others duly qualified, who offered to poll for Mr. Johnes, and was guilty of many other acts of partiality and injustice.

In order to shorten and facilitate the business of the committee, the agents on both sides were directed to meet and examine the poll-book for Sir Robert Smyth with the books of the corporation. This was done; and, in consequence of their joint examination, it was agreed that, of the votes for the sitting member,

I. A certain number was not to be found at all in the books.

II. That the names of a certain number were in the books, but that the descriptions added to those names in the books and on the poll were not the same.

III. The

III. That a certain number were only found in a list written in the book called the council-book.

IV. That the admissions of a certain number were entered on stamps *during* the poll.

V. That the admissions of others were entered on stamps *after* the election.

VI. And of others within a year before the election.

VII. That the entries respecting a certain number in the corporation-book, and on the poll, agreed both in the names and descriptions:

I. Of the seven different classes of voters, the first was given up by the counsel for the sitting member.

II. With regard to the second class, it was resolved, that the counsel for the petitioners should make their objections to each individual vote; and that, when the description in the books should appear to differ from the description on the poll, it was incumbent on the counsel for the sitting member to remove the objections, so as to reconcile the difference.

III. The next question was, whether a list entered in the council-book of Cardigan, pur-

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porting

porting to contain the names of burgesses whose presentments had been lost, should be read as evidence of the right of persons who had polled on the authority of that list.

The committee resolved,

That the list of 1741, as entered in the council-book, was not admissible as evidence.

IV. and V. The questions concerning the fourth and fifth class of votes, were taken up, and argued together.

The committee, however, determined the abstract question, and subjoined a qualification to their resolution, in order to prevent any inference that they meant to tie up the counsel for the petitioners from calling in question the right of persons in the fourth class of voters, on the ground of their being, in fact, different people from those whose names appeared on the presentments.

The resolution and qualification, as delivered by the chairman to the counsel, were as follow :

“ Resolved, That the voters, whose admissions were stamped during the poll, prior to their voting, are to be admitted as legal voters at this election.

“ That

"That parties are to understand, that this resolution goes merely to the legality of the stamping the admissions during the poll, before the voters had voted, and not to any other right whatsoever."

The committee also resolved, that persons, whose admissions were stamped after their votes were given, were not to be allowed as legal voters at the last election.

VI. The sixth class of voters for the sitting member were objected to, as falling within the disqualification of the statute of 3 Geo. III. called the Durham act.

The committee resolved, "that it is not necessary, by the statute of 3 George III. for freemen, whose right, in every other respect, is complete a year before an election, to have their admissions entered on stamps twelve calendar months before, in order to qualify them to vote at such election."

VII. As to the seventh class of voters, the committee resolved, that the *onus* of disproving the identity of the persons lay upon the counsel for the petitioners.

In consequence of the foregoing resolutions, lists were prepared, by the agents on each side, of the number of votes that were disqualified

by such of them as were in favour of the petitioners; and, in consequence of this sort of scrutiny, the counsel for Sir Robert Smyth, on the 9th day of the trial, admitted, that, as the poll then stood, there was a majority of 58 in favour of Mr. Johnes.

Upon this, Sir Robert Smyth's counsel contended, that the counsel on the part of the petitioner should prove the identity of those who had voted for him; but the committee resolved, that, as the identity of Mr. Johnes's voters had been scrutinized at the poll, it was not incumbent on his counsel to identify them before the committee.

After this last resolution was declared, the counsel for the sitting member acquainted the committee that they had nothing further to offer. The poll, therefore, remained according to their admission, with a majority of 58 in favour of Mr. Johnes.

On Thursday the 7th of December, the committee resolved, and thereupon, by their chairman, informed the house, that they had determined,

“That Thomas Johnes, the younger, Esq. was duly elected, and ought to have been returned.”

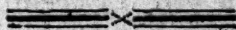
CARLISLE.

C A R L I S L E.

THIS is the shire-town of the county of Cumberland, and is a city and bishop's see. In the 35th of Edward I. there was a parliament held here. It has several charters of liberties from the time of Henry III. to Charles I. the last of which is said to be in the 13th of that reign.—The right of election is in the mayor, aldermen, bailiffs, and freemen, resident or not resident. The number of voters are about five hundred.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1700-1	13	1722	20
1649	6	1708	16	1741	24
1692	10	1710	16	1746	25
1694	11	1711	17	1775	35



C A R M A R T H E N S H I R E.

THIS is one of the twelve Welsh counties, and is represented in parliament by virtue of the statute of 27th Henry VIII.

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References.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1667	9	1722	20	1770	32.
1676	9	1723	20	1779	37.
1717	18	1724	20		

CARMARTHEN TOWN.

THIS is the shire-town of the county, and entitled to send a member to parliament by the statute 27th Henry VIII. and has ever since returned a member accordingly.—The right of election is in the burgeses of the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1614	1	1727	21	1751	26
1656	7	1741	24	1754-5	27
1658	7	1742	24	1755-6	27
1715	18	1744	24	1768-9	32
1724	20	1745	25	1770	32

CARNARVONSHIRE.

THIS is one of the twelve Welsh counties, and returns members to parliament by virtue of the statute of the 27th of Henry VIII.

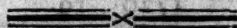
References

CASTLE RISING.

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References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1675	9	1739	23
1646	5	1690	10	1774	35
1656	7	1722	20		

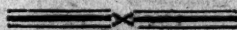


CARNARVON TOWN.

THIS borough is the shire-town of the county, and, as such, with its contributory boroughs, Criccieth, Pwllhely Nevin, and Conway, returns one member to parliament.—The right of election is in the burgessees.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1713	17	1728	21
1646	5	1715	18	1749	25
1690	10	1722-3-4	20	1754	27
1698	12				



CASTLE RISING.

THIS borough is in the county of Norfolk, and is a mayor-town, but never sent burgessees to parliament till 1588.—There are about fifty voters; and the right of election is in the free burgessees.

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References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1580	1	1705	15	1737	22
1645	4	1710	16	1745	25
1658	7	1713	17	1757	27
1673	9	1715	18	1771	33
1673	9	1720	19	1772	33
1701	13	1723	20	1777	36

C H E S H I R E.

THIS was a county palatine by prescription. William the Conqueror created Hugh Lupus earl thereof. It became annexed to the crown in the time of Edward I. but before the statute of 34 Henry VIII. it never sent knights of the shire or citizens to parliament; but by that act it sent both.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1685	9	1753	26
1669	9	1705	15	1756	27
1677	9	1706	15	1780	37

C H E S T E R.

THIS city is the capital of the county of Cheshire, which was a county palatine in Edward the First's time, and vested in the crown.

gown. It was made a county of itself in the reign of Henry VII. and incorporated by the name of mayor, recorder, and twenty-four aldermen, with two sheriffs, and forty common-council men; but never represented in parliament until the 34th and 35th of Henry VIII. when by act of parliament it was declared that it should send two citizens to be burgesses to parliament.—There are about one thousand electors, and the right of election is stated to be in the freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1695	11	1732	22
1672	9	1696	12	1734	22
1672	9	1711	17	1735	22
1675	9	1722	20	1736	22
1690	10	1723	20	1742	24
				1755	27

CHICHESTER.

THIS is a city in the county of Sussex, and returned members to parliament from 26 Edward I. The citizens, 38th Henry VI. were returned by the mayor and bailiffs.—The number of electors are five hundred, and the right of election is in the inhabitants paying *scot and lot*.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1708	16	1728	21
1660	8	1710-II	16	1732	22
1679	9	1713	17	1746	25
1680	9	1715	18	1754	27
1689	10	1719	19	1755	27
1705	15	1723	20	1767	31

CHIPPENHAM.

THIS borough is in the county of Wilts, and was incorporated by Queen Mary, but has been represented in parliament from the time of Edward II. It intermitted in all the parliaments, but two, in Edward the Second's; and also sent but to five in the time of Edward III. and then intermitted again until the 2d of Richard II. from which time to the 12th of his reign it returned, and after that year intermitted till the 1st of Henry VI. but has since sent as other boroughs.—The voters are about one hundred and fifty; and in the year 1764, it was resolved, that the new charter did not alter the custom; and that the burgesses and freemen, more than twelve, have voice in the election; and by a resolution of 1741-2, a motion being made, and the question being put, that in the above resolution,

resolution, of 1624, the words *burgesses* and *freemen* mean only *such burgesses and freemen as are inhabitants, householders of the ancient houses, called free or burgage houses, within the said borough*, it passed in the negative.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1623-4	1	1694	11	1722	20
1640	2	1700	13	1723	20
1648	6	1705	15	1737	22
1661	8	1710	16	1741	24
1672	9	1713	17	1751	26
1690	10	1715	18	1768	31
1691	10	1720	19	1769	32

CHIPPING-WICCOMBE.

THIS borough is situate in the county of Bucks, and was summoned to send representatives to parliament from the 28th of Edward I.

The precepts were at first directed to the bailiffs of the liberty of the honour of Wallingford, who made no return to the sheriff's precept. In the 28th and 30th of Edward I. and in the 2d and 4th of Edward II. the names of the

the representatives for those years are inserted in the list. The stewards of this liberty made the returns during the reigns of Edward I. and II. and in the beginning of Edward III.

It was incorporated, as *Doctor Willis* apprehends, in the time of Edward IV. The returns, about the middle of that reign, were in the name of the mayor; and before that time, they were between the sheriff and burgesses: but other writers say, it appears that the return in the 12th of Edward II. was by *Ralph de Brebull*, bailiff of the honour of Wallingford; and some assert that the returns in the 12th and 17th of Edward IV. were made by 12 persons, as they are named in the returns, and that no mention is made of any assent or authority by or from others. It was the first borough in the county represented in parliament.

The number of voters are about one hundred and seventy; and the right of election is in the mayor, bailiffs, and burgesses, not receiving alms.

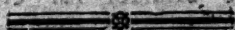
References.

CHRISTCHURCH.

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References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1660	8	1702	14	1734	22
1672	9	1707	15	1744	24
1673	9	1721	19	1757	28
1685	9	1722	20	1761	29
1691	10	1725	20	1766	31
1695	11	1725-6	20		
1698	12	1730	21		



CHRISTCHURCH.

THIS is an ancient borough, in the county of Hants, and was summoned in the 35th of Edward I. and the 2d of Edward II. but there were no returns made to those summons, nor did it return till the 13th of Queen Elizabeth.—The number of electors are about seventy, and the right of election is in the inhabitants paying *scot* and *lot*.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1642	2	1725	20	1749	25
1645	4	1727	21	1755	27
1680	9	1728	21	1762	29
1690-1	9	1729	21	1763	29
1710	16	1731	21	1766	31
1716	18	1739	23	1770	32
1722-3	20	1742	24	1770	33
1724	20	1748	25	1779	37

CIRENCESTER.

CIRENCESTER.

THIS borough is within the county of Gloucester. It doth not appear to be incorporated, nor to have returned members before the 13th of Queen Elizabeth.

In 1624, the house resolved, that, were there is no custom nor charter for election, the inhabitants, householders, ought to make the election. In 1690, the committee resolved, that the inhabitants receiving a charitable donative, commonly called by-money, have not a right to vote in electing burgesses to serve in parliament; and also, that the inhabitants of the borough of Cirencester, being inmates, have no right to vote in electing burgesses to serve in parliament. The house did not agree to the *first* resolution, but agreed to the *second*. In 1709, it was determined, that the inhabitants of the *Abbey*, the *Emery*, and the *Spiringate-lane*, (not receiving alms,) have not a right to vote: and in 1724 another resolution passed, that the right of election is in all the inhabitants (householders); and that it is an established maxim, *that no consent of parties can alter the right of election*. The number of voters are about seven hundred.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1624	1	1695	11	1711	17
1646	4	1701	13	1735	22
1660	8	1705	15	1745	25
1670	9	1708	16	1768	32
1685	9	1709	16	1770	32
1689-90	10				

CLITHEROE.

THIS borough is situated in the county of Lancaster, and was never represented in parliament, till the first year of Elizabeth, ever since which time it has been constantly represented.—There are about one hundred voters, and the right of election is *in the freeholders only as have estates for life, or in fee.*

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1695	11	1722	20
1660	8	1698	12	1723	20
1661	8	1702-3	14	1724	20
1675	9	1706	15	1745	25
1678	9	1713-4	17	1747	25
1693	11	1715	18	1761	29
1693-4	11				

COCKER-

COCKERMOUTH.

THIS is a borough in the county of Cumberland, and returned to one parliament in the time of King Edward I. but from that time ceased until the 16th of Charles I. when it was again restored.—The number of voters are about two hundred, and the right of election is in those possessing burgage-tenure.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year	Vol.
1640	2	1701	13	1747	25
1641	2	1710-11	16	1755	27
1661	8	1715	18	1757	27
1669	9	1717	18	1762	29
1675	9	1717	18	1766	31
1685	9	1721	19	1768	31
1690	10	1737	23	1769	32
1695	11	1742	24		

COLCHESTER.

THIS borough is situated in the county of Essex, and was a borough at the time of the Norman Conquest; and had then 276 burgesses;

burgesses, as appears by the general survey. King Henry I. granted them letters patent, which are now lost; and King Henry II. granted the town to the burgesses, for a fee-farm of 42l. King Richard I. by his charter, enabled them to elect bailiffs, hold pleas of the crown, and plead them within their own burgh; and no other justice to intermeddle, but such as they should elect, together with several other privileges.

This charter was confirmed by several succeeding kings, and King Henry III. added to it the return of all the writs in matters relating to the liberties of the town. King Henry VI. not only confirmed, but added greatly to their liberties, viz. settled the bounds of the town, and granted them a power yearly, at the election of bailiffs, to chuse four of the most worthy and discreet persons of the town to be, jointly with the bailiffs for the time being, *justices of the peace* for one whole year from the time of such election, within the said town, and the liberty, suburbs, and precincts of the same, &c. and his successor King Henry IV. not only ratified and confirmed the grants of his ancestors, but granted that the bailiffs, and burgesses, and their successors, consisting of two bailiffs, and one commonalty,

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should

should be from henceforth one perpetual body and commonalty, in name and in deed, and have perpetual succession; and incorporated them by the name of the bailiffs and commonalty of the burgh of Colchester. But the chief charter is that of King Charles I. dated July the 9th, 1635, wherein he recites the former charters, and then incorporates it anew, by the name of the mayor and commonalty of the burgh of Colchester, in the county of Essex; and directs that they should have a mayor, fixteen aldermen, sixteen assistants, sixteen common-council men, (four out of each ward,) an high steward, and a recorder, &c.

King Charles II. by his charter dated August 3d, 1663, altered the number of officers, and settled them thus, viz. twelve aldermen, including the mayor, eighteen assistants, and the like number of common-council men. These several charters were surrendered in 1684, and a new charter was granted, with some alterations.

King James II. reduced the number of officers to ten aldermen, including the mayor, ten assistants, and ten common-council men, by his charter dated September 15th, 1688.

At

At the Revolution, the former charters were restored; but about the year 1741, the same charters and privileges thereby granted to the town were declared void.

This borough sent members to parliament 23 Edward I. and hath retained that privilege ever since. The returns were formerly endorsed on the sheriff's writs, and those to parliament in the 26th of Edward I. are the oldest extant. In the 7th of Edward IV. only five burgesses, named in the return, chose for that parliament, in the county court, held at Chelmsford. It is well worthy notice, that this service, at that time, was thought a burden; and, to be exempt from it, King Richard II. in consideration of new building and fortifying the walls of their town against the king's enemies, grants them an exemption for the space of five years. However, the inhabitants did not make use of it; for the patent is dated the 12th day of December, and was filed to the return of the sheriff of Hertfordshire and Essex of the same year of Richard II. and this return bears date the 7th of January, being the next month after; yet they did to both the parliaments of that reign return burgesses.

There have been several resolutions as to the right of election.

In 1696 it was resolved *to be in the sworn burgesses not receiving alms*: in 1710 it was resolved, that the mayor cannot make foreigners free of the borough, without consent of the majority of the aldermen and common council: and in 1714, it was resolved, that the right of election *is in the mayor, aldermen, common-council, and free burgesses not receiving alms*; and that the right of making foreigners (not having a right of freedom by birth or service) freemen, *is in the mayor and free burgesses in common hall assembled*. There are about fourteen hundred electors.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1695-6	11	1715	18
1645	4	1702	14	1722-3-4	20
1685	9	1705	15	1727	21
1688	10	1706	15	1734	22
1689-90	10	1710	16	1741	24
1692	10	1713-14	17	1768-9	32
1694	11				

CORFE-

CORFE - CASTLE.

THIS borough is within the isle of Purbeck and county of Dorset : it doth not appear when it became a borough, but its present privileges are fully set out in a charter granted thereto by King Charles II. Its first return of burgeses to parliament was in the reign of Queen Elizabeth, who gave it the privilege of being represented in parliament, about the 14th year of her reign.

The number of voters are about one hundred and forty ; and the right of election was determined, in the year 1699, *to be in the lessors for years, paying scot and lot, and also in such persons as had the freehold in reversion, upon such lease for years* : in 1699, it was agreed to be in such persons as have an estate or inheritance, or a lease for years, determinable upon life or lives, paying scot and lot : and by another resolution in 1718, it was determined *to be in such persons as are seized in fee, in possession, or reversion, of any messuage, tenement, or corporeal hereditament, within the borough, and in such persons as are tenants for life or lives, and, for want of such*

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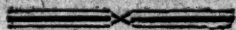
freeholds,

86 CORNWALL COUNTY.

freeholds, in tenants for years determinable upon any life or lives, paying scot and lot, and in them, and in no others.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1699	13	1720	19
1645	4	1701	13	1744	24
1677	9	1715	18	1762	29
1679	9	1718	19	1764	29
1698-9	12				



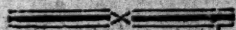
CORNWALL COUNTY.

THIS is a very large county in the extreme western part of the kingdom. It is a duchy erected by King Edward III. and granted to his eldest son Edward, who was called the *Black Prince*, and his heirs, the eldest sons of the Kings of England. The sheriff is named by the Duke of Cornwall, who hath his council and officers belonging to the duchy. It was represented in parliament at the time of the first summons of Edward I. In the 26th of Edward I. it returned two knights of the shire, and burgesses for four boroughs only, to which many since have been added.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1627-8	1	1703	14	1744	24
1660	8	1711	17	1748	25
1701	13	1743	24	1765	30



COVENTRY.

THIS is a city within the county of Warwick. It was incorporated by King Edward III. who, by his charter, dated 20th January, in the 18th year of his reign, appointed therein a mayor and bailiffs : and their liberties were greatly increased by Richard II. in the year 1404. The parliament called the *parliamentum indoctorum* was held here ; and Henry VI. made it a county of itself, and appointed the bailiffs to be sheriffs of the said county for ever. It has returned representatives to parliament from the 26th, during the whole reign of Edward I. but intermitted, except 8th Edward II. and 20th and 27th Edward III. until 31st Henry VI. from which time it has returned as other boroughs.

There are about fourteen hundred voters, and

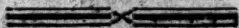
respecting the right of election the following resolutions have been made.

In 1701-2 it was resolved, that the freemen receiving alms, or charity, have no right to vote : in 1708, it was resolved to be in such persons as have served apprenticeships for seven years, within the city, to one and the same trade, and not receiving alms, or constant charities ; those receiving *Sir Thomas White's* gift are not excluded from voting : in 1708 it was also determined, that persons receiving *Thomas Wheatley's* gift might vote : in 1711 it was resolved, that the members of the company of Fullers, being freemen, not receiving alms, or weekly charity, have a right to vote in the elections of members ; and that such freemen as do not receive alms, or weekly charity, and have served seven years apprenticeship within the said city, or the suburbs thereof, have a right to vote : in 1722 it was resolved, that the sitting member's counsel be admitted to give evidence touching the qualification of such persons as have a right to vote ; and by another resolution in the year 1722 it was resolved, that the right of election is in such freemen as have served seven years apprenticeship to one and the same trade in the said city and suburbs thereof,
and

and do not receive alms or weekly charity, such freemen being duly sworn and enrolled.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1609	1	1705-6	15	1734	22
1627	1	1708	16	1735	22
1640-1	2	1710	16	1736	22
1660	8	1711	16	1747	25
1678	9	1713	17	1766	31
1689	10	1715	18	1768	32
1698	12	1722	20	1780	37
1701	13				



CRICKLADE.

THIS borough is situated in the county of Wilts, and has returned members of parliament to Edward the First's parliaments, and afterwards only to the parliament of the 20th of Edward II. It ceased sending members till the reign of Henry VI. when it sent to eleven parliaments, and to two of Edward IV. after which it has been regular in its returns with other boroughs.

There are about one hundred and fifty voters,
and

and the right of election may be seen from the following resolutions :

RESOLUTIONS.

1684.

Agreed to be in the freeholders and copyholders of the borough houses, and leaseholders for any term not under three years, only.

1685.

It was agreed by the counsel on both sides to be in the freeholders, copyholders, and leaseholders, for three years.

1689.

It was agreed by the counsel on both sides to be in the freeholders and copyholders of borough houses, and leaseholders for any term not under three years. Those possessed of an estate in right of their wives were not meant in this resolution.

1776.

Resolved by the committee, that the right is in the inhabitants possessing houses within the borough, who are freeholders, copyholders, or leaseholders for any term not less than for three years, or for any such term, or greater term, determinable on life or lives; such freeholder, copyholder, or leaseholder, having been in the occupa-

occupation of the house for which he may claim to vote four days preceding any election.

Resolved by the same committee, and at the same time, that the houses which were in the occupation of Thomas Bound, Thomas Kilmaster, senior, Richard Liddel, William Malson, John Pounds, and Robert Strange, are within the boundary of the borough.

1695-6.

The committee reported the right of election was in the freeholders and copyholders of the borough houses, and leaseholders for any term not under three years.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1680	9	1698	12	1722	20
1685	9	1708	16	1734	22
1688	10	1710	16	1739	23
1690	10	1713-14	17	1741	24
1695	11	1720	19	1774-5	35

Substance of the last Case of controverted Election.

The sitting member was *Samuel Peach, Esq;* and the petitioners were six persons, on behalf of themselves and others, electors of the borough of Cricklade; and fourteen persons, on behalf of them-

themselves and others, electors of the said borough.

On Thursday the 8th of February, the committee being met, the two petitions were read, stating that at the late election *John Dewar, Esq.* had a majority of legal votes, although the returning officer had returned *Mr. Peach*; that many legal voters had been refused polling for *Mr. Dewar*, and many voters been admitted for *Mr. Peach* who had not right to poll; and that by those and other *undue, corrupt, and illegal practices*, *Mr. Peach* had procured himself to be returned.

The counsel for the petitioners proposed,

I. To establish a great many votes as legal, which had been tendered for *Mr. Dewar*, and had been rejected, and also to disqualify others which had been received for *Mr. Peach*, so as to leave a clear majority for *Mr. Dewar*.

II. To prove such misconduct in the returning officer, as to call for a special report from the committee.

III. To prove bribery on *Mr. Peach*, by his agents, so as to disqualify him from being able to retain his seat.

Both sides admitted *Cricklade* to be a borough by

by prescription, but not incorporated. That the bailiff of the manor of Cricklade is the returning officer. That the bailiff and constables of the borough are chosen yearly at the Michaelmas court-leet, held in the borough, before the steward of the manor of Cricklade. That there is a smaller manor within the borough called the Manor of Abingdon Court, which is subordinate to the other, and is held of the dean and chapter of Salisbury for 99 years determinable on lives. That there are also in the borough charity estates held of the feoffees of the charity, for terms determinable on lives. That the houses in the borough are chiefly held, either in freehold, in copyhold, on leases for 99 years determinable on lives, on leases for terms absolute of three or more than three years, and on leases for terms of three or more years, under lessees for 99 years determinable on lives. That *Mr. Nesbitt*, lord of the manor, (the other member for the borough,) was the active and avowed friend of *Mr. Peach*, and supported him with all his interest. That the appointment of the bailiff is very much in *Mr. Nesbitt's* power.

The petitioners contended,

- I. That the boundaries of the borough extend

tend beyond the line adopted on the part of the sitting member; and that *seven* houses, for which votes had been tendered in favour of *Mr. Dewar*, and rejected on the ground of their being without, are within, the boundaries.

II. That it is not necessary that the houses for which votes are claimed should either be *ancient* houses, or built on *ancient* scites; but that a sufficient estate, in *any* house within the borough, gives a right to vote.

III. That leaseholders for the term of three years, or more, determinable on a life or lives, and persons having leases for that or a longer term, granted by lessors who have themselves leases for three or more years, but determinable on a life or lives, have a right to vote.

IV. That all the three classes of voters, viz. freeholders, copyholders, and leaseholders, must have resided 40 days in the place before the election, and must be parishioners.

The counsel for the sitting member insisted,

I. That the boundaries of the borough are according to certain limits which they pointed out, and which exclude the seven houses in question.

II. That

II. That no houses give a right to vote, except *ancient* houses, or new houses built on *ancient* scites; and that what are called *new* houses give no right to vote.

III. That no leaseholder can vote, unless his lease be for three or more years *certain* from a lessor who has an *absolute* estate for three or more years *certain*, and not determinable on lives.

IV. That residence of 40 days before the election is necessary only to qualify those who claim to vote as *leaseholders*, and is not required in freeholders and copyholders; and that legal settlements are not necessary to any voters.

The seven houses, which were alleged by the counsel for the petitioners to be within the borough, and denied to be within it by the counsel for Mr. *Peach*, at the time of the election, were in the occupation of the following persons: Thomas Bound, Thomas Kilmaster, sen. Richard Liddel, William Malfon, John Pound, Robert Strange, and William Wakefield.

A great variety of evidence was called on both sides, after which the committee resolved,
 " That

"That the counsel for the petitioner are at liberty to enter into the proof of bribery by *Samuel Peach*, Esq. it being comprehended in the words *corrupt practices*, alleged in the petition."

Upon this, evidence was gone into; and other evidence to contradict the charge, was afterwards produced on the part of *Mr. Peach*.

The committee then resolved, "That the right of voting for members to serve in parliament is in the inhabitants possessing houses within the said borough, who are freeholders, copyholders, or householders, for any term not less than three years; or for any such term, or greater term, determinable on life or lives; such freeholder, copyholder, or leaseholder, having been in the occupation of the house for which he may claim to vote 40 days preceding any election."

Also resolved, "That the seven houses before-mentioned *are within the boundary of the borough*, and are entitled to vote."

The counsel for the sitting member, when they were acquainted with these two resolutions, informed the committee that they would give them no farther trouble.

On

On Monday the 19th of February, the committee, by their chairman, informed the house, that they had determined,

"That *John Dewar*, Esq. was duly elected, and ought to have been returned."

They made no special report.

The foregoing, instead of being stated as the *Substance of the last Case of controverted Election*, (as it is fol. 91,) should have been stated as the *Substance of the Case of the controverted Election in the year 1776*, when Mr. *Petrie* likewise was a candidate; and by him the merits of that election, and the right of voting for this borough, were brought before a committee of the house of commons, after Mr. *Dewar* had abandoned the petitions presented by him.

What has been hitherto said relates entirely to the right of voting, as confined to the inhabitants, which cannot amount to three hundred, as there are not three hundred houses within the borough; but as, by a late act, a right of voting for representatives for this borough, in common with the old electors, has been given to a numerous body of neighbouring freeholders, in consequence of the corruption practised at the general election in the

H

year

year 1780, it is necessary to give a short statement of the circumstances of that election, and of the extended right of voting, as now established by act of parliament.

At the election at Cricklade, in September, 1780, *Paul Benfield*, Esq. *John M^r Pherjon*, Esq. and *Samuel Petrie*, Esq. were candidates. At the close of the poll, the numbers were in favour of *Mr. Benfield* and *Mr. M^r Pherjon*, who were accordingly returned: but against this return *Mr. Petrie* presented a petition to the house of commons, alleging gross bribery against both his competitors, and contending that he was duly elected, and ought to have been returned, having had a considerable majority of legal *uncorrupt* votes.—This petition was referred to a select committee of the house, which, owing to the number of petitions depending, was not ballotted for till the 24th of January, 1782.—On the 1st of February, 1782, the committee reported to the house, that *Mr. Benfield* was duly elected, and that *Mr. M^r Pherjon* and *Mr. Petrie* were not duly elected. They likewise made a special report, relative to the gross bribery that had been practised at this election.—On the 18th of February, upon motion of *Sir Harbord Harbord*, seconded by *Lord Althorp*,

Althorp, the house agreed to the resolutions of the committee; gave leave to prepare and bring in a bill to prevent bribery and corruption at any future election; and ordered that no writ should be issued for three months. This bill was accordingly brought in; passed the commons on the 18th of March; passed the lords on the 13th of May; and on the 17th of May received the royal assent.

By this act of the 22d of George III. c. 31, at every election of a burgess or burgesses to serve in parliament for the borough of Cricklade, a right to vote is given to every freeholder within the hundreds or divisions of *Highbworth, Cricklade, Staple, Kingsbridge, and Malmesbury*, who shall be duly qualified to vote at elections for knights of the shire for the county of Wilts; and the right of election is declared to be in such freeholders, and in the persons who, by the custom and usage of the said borough, have, or hereafter shall have, a right to vote at such election.

The grossness of the corruption in this borough, which could alone furnish support to such an act, had been made notorious by the spirited conduct of Mr. *Petrie*, who, by evidence of specific acts of bribery, nearly proved its universality, and reduced, before the com-

mittee, the votes of his competitors considerably below the number which he had polled; but he lost his seat in parliament, under the report of the committee, by a judgment upon a verdict against him, having been admitted in evidence, which has since been proved to have been obtained by perjury.

C U M B E R L A N D.

THIS county, which is the most northern part of the kingdom, was won from the Scots by William the Conqueror, and from that time has been a part of this kingdom. It has been represented in parliament from the time of the first returns in the 28th of Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1571	1	1702	14	1757	27
1624	1	1714-15	18	1762	29
1645	4	1744	24	1768-9	32
1664	8	1755	27	1769	32
1680	9	1756	27		

DARTMOUTH, *otherwise* CLIFTON. DARTMOUTH - HARDNESS.

THERE are three towns which compose one borough, or have three divisions of one borough, lying upon the sea-coast, in the south

South part of Devonshire. It has been a mayor-town from the reign of King John, and returned burgesses to parliament the 26th of Edward I. and from that time ceased till the 24th of Edward III. from which time to this it has returned. In the 26th of Henry VI. they were chosen in the county court, as appears by the indenture for the county.

There are about one hundred and twenty voters; and, by a resolution of 1689, the committee reported, that the right of election lay in the freemen of the said borough; and at the same time determined, that twenty-five new freemen, made after the writ bore test, were not duly nor legally made, and ordered, that Mr. Whitrow, the late mayor, be taken into custody for his misdemeanors in making the said freemen.

References to the JOURNALS.

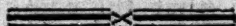
Year.	Vol.	Year.	Vol.	Year.	Vol.
1641	2	1689	10	1740	23
1645	4	1698-9	12	1741	24
1656	7	1700	13	1754	27
1664	8	1713	17	1757	27
1666	8	1725	20	1766	30
1670	9	1726	20	1767	31
1672-3	9	1728	21		
1685	9	1730	21		
		H. 3		DENBIGH-	

DENBIGHSHIRE.

THIS county is one of the twelve Welsh counties empowered by the statute of 27th of Henry VIII. to send a knight to parliament, and it hath ever since done so.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1661	8	1716	18	1741-2	24
1663	8	1722	20	1749	25
1680	9	1740	23		



DENBIGH TOWN.

THIS is the shire-town of the county, and, as such, entitled to send members to parliament by statute 27th of Henry VIII. from which time it has returned representatives.

The number of voters are about five hundred; and the right of election is in the burghesses, inhabitants of the boroughs of Denbigh, Ruthyn, and Holt, respectively.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1679	9	1715	18	1743	24
1690-1	10	1733	22	1749	25
1700	13	1742	24		

DERBY.

DERBYSHIRE.

THIS is a county in the northern part of the kingdom, and has been represented in parliament from the time of King Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1660	8	1701	13	1775	35
1670	9	1751	26		

DERBY TOWN.

THIS is the capital or chief town of the county of this name. It was a borough by prescription, and governed by its bailiffs, who were elected yearly on Michaelmas-day, according to a charter of King James I. but, in the 14th of Charles I. it was incorporated by the name and style of mayor and burgessees. It returned burgessees to parliament 26th of Edward I. and has so continued to do till this time.

There are about seven hundred voters ; and the right of election is in the corporation, burgessees, and freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1712	17	1747	25
1698	12	1715	18	1748	25
1701	13	1729	21	1762	29
1709	16	1735	22	1765	30
1710	16	1741-2	24	1772	33
1711	17	1746	25	1775-6	35

Substance of the Case of the last controverted Election.

The petitioners were *Daniel Parker Coke*, Esq. and several electors of members to serve in parliament for the borough of Derby, and *John Gisborne*, Esq. was the sitting member.

On Thursday the first of February, 1766, the committee being met, the two petitions were read.

Mr. *Coke's* petition set forth, that he was elected by a great majority of legal voters, but that the returning officer had rejected the votes of many persons who had a right to poll, and who tendered their votes for the petitioner, and admitted many voters to vote for Mr. *Gisborne* who had no right.

The other petition set forth, that the petitioners and divers others, having a right to be admitted burgesses, had claimed their right accordingly;

ordingly; but that the mayor, aldermen, and burgesſes, had reſuſed to admit them, although they had admitted others under the like circumſtances, who voted for Mr. *Giſborne*.

Then followed other allegations, reſpecting the *receiving* and *rejeſting* votes, to the ſame effect with thoſe in the petition of Mr. *Coke*.

The numbers on the poll, as produced to the committee by the mayor, who is the returning officer, were as follow:

For Mr. *Giſborne* - 343

For Mr. *Coke* - - 329

Majority for Mr. *Giſborne* 14

But the counſel for the petitioners, in opening their caſe, ſaid, that they propoſed to add 42 to the poll for Mr. *Coke*, viz.

26, who, being entitled to be admitted to the freedom of the borough, had demanded ſuch admiſſion before the election, and, having been reſuſed, had tendered their votes at the poll for Mr. *Coke*.

12 under the ſame circumſtances, but who had demanded to be admitted on different occaſions.

4 who had their freedom, but whoſe votes were rejeſted by the mayor.

42

They

They also proposed to strike off 16 from the poll for the sitting member :

- 5 who live in alms-houses, called Derby Hospital ;
 - 3 for having received parish relief ;
 - 3 honorary burgeses admitted within the year ;
 - 3 who had been admitted burgeses, on the title of servitude, without having served a seven-years apprenticeship ;
 - 2 who were never admitted to their freedom.
- 16

In the course of the cause, however, it was only necessary for the committee to hear evidence, and to decide concerning the votes of 27 of those who, claiming by antecedent titles, had demanded admission to their freedom, and, having been refused, tendered their votes for Mr. Coke.

It was admitted on both sides that the corporation is in possession of the power of bestowing the freedom of the borough, either by purchase or favour, on persons who have no antecedent titles. Freemen so admitted are called honorary. The votes of the honorary freemen

freemen were objected to at the poll, on the part of Mr. Coke; and, in the interval between the election and the trial of the cause, application was made to the court of King's Bench for *informations*, in the nature of *quo warrantos*, against the honorary freemen; but the court having thought that sufficient matter was not laid before them in the affidavits to justify them in granting informations, they were refused. The counsel for the petitioners did not, therefore, question the votes of the honorary freemen before the committee. Of this class votes had been received on the poll, as well for Mr. Coke as for Mr. Gisborne, under Coke's general protest against them.

It was also admitted on both sides, that the previous rights, which give a title to demand the burghership of Derby, are,

I. To be the son of a burghers, born after the admission of his father to his freedom, and to be resident in the borough at the time of the demand.

II. To have served an apprenticeship of seven years to a freeman, and to be resident in like manner at the time of the demand.

The counsel for the petitioners alleged, that they meant to prove, that the 27, whose votes they

they meant to establish, were possessed of inchoate rights, and that their votes ought to be added to the poll.

On the other side, the principle was admitted; but supposing these persons possessed of antecedent rights, the fact of their having demanded their admission of the proper persons, or in the proper manner, was denied.

The counsel for the petitioners said, that, by the express provision of the charter, the persons appointed to admit freemen are, the mayor and three aldermen; but on the part of Mr. *Gisborne* it was denied to be the legal mode of admission.

The original charter was produced, and after a variety of evidence and argument on both sides, the committee

“Resolved, That the clauses in the charter, which have been produced to the committee, have not so established the mode of admission of the freemen of this borough as to exclude other evidence.”

After the committee had come to this resolution, what the counsel for the sitting member had alleged, was clearly proved, or admitted, viz.

That, until the year 1772, as far back as evidence goes, the usage has been to admit freemen,

men, whether *honorary* or by *title*, at a common hall only; and that an oath of office was then administered to the persons admitted, different from the parliamentary oaths prescribed by the charter.

The counsel for the petitioners then went into the evidence on the whole of their case, which consisted of two different parts, and had two distinct objects, viz.

I. To shew the nature and circumstances of the application which the persons, whose votes they meant to establish, had made to be admitted to their freedom, and the different delays, and final refusal of the mayor to admit them before the election.

II. To substantiate the titles of those persons, by proving either their birth, or services, as apprentices, to have been such as, by the custom of the borough, gave them a right to demand their freedom.

The counsel having finished their arguments; the committee, after a long deliberation, both on the 7th of February, the day the counsel finished, and on the 8th, came to the following resolutions:

"Resolved, That those persons who applied to the mayor on the 5th and 9th of February,

MO D E R B Y T O W N.

1775, and have proved their rights, be added to the poll."

"Resolved, That *John Wedgwood* be added to the poll."

"Resolved, That *Thomas Bilson* be added to the Poll."

"Resolved, That *Charles Clarke* be added to the poll."

"Resolved, That *Thomas Hancock* and *William Mattocks* be added to the poll."

"Resolved, That *Thomas Jones* be added to the poll."

The committee then came to this general resolution.

"Resolved, That all the 27 voters in question, except *William Sale*, ought to be added to the poll."

Upon this, the counsel for the sitting member told the committee they were instructed to say, that they would not give the committee any farther trouble.

And the same day, Thursday the 8th of February, the committee, by their chairman, informed the house, that they had determined,

"That *Daniel Parker Coke*, Esq. the petitioner, was duly elected, and ought to have been returned."

DEVIZES.

DEVIZES.

THIS is a borough in Wiltshire, incorporated by King Charles I. but represented in parliament in Edward I.'s time; only in the 1st, 8th, and 19th of Edward II. and then from the 4th of Edward III. to this time, as other boroughs.

The right of election is in the mayor and select number of burgesses only.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625.	1	1688	10	1710	16
1660	8	1689-90	10	1713	17
1666	8	1695	11	1720	19
1669	9	1702	14	1739	23
1675	9	1706	15	1742	24
1678	9	1708	16	1765	30
1680	9	1709	16		

DEVONSHIRE.

THIS is a very large county in the western parts of the kingdom, and has returned knights to parliament from the first summons in Edward I.'s time. The first memorandum met with is in the 16th of Richard II. Sir

Philip

112 D O R C H E S T E R.

Philip Courtney, one of the knights returned, was accused in parliament of many heinous offences, and was discharged at his request, until he should acquit himself of the same, from being a member, by the king and lords; but was afterwards restored upon the petition of the commons. In the 4th of Henry IV. he was again accused of several misdemeanors, and by the king and lords committed to the Tower, and there remained until enlarged (upon sureties) at the request of the commons.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1606	1	1670	9	1745	25
1640	2	1685	9	1762	29
1646	4	1699	12	1776	36
1648	5	1712	17	1779	37
1660	8	1730	21		
1666	8	1735	22		

D O R C H E S T E R

THIS is the shire-town of the county of Dorset, and an ancient borough. It was anciently the king's demesne; and its ancient government was by bailiffs, as appears by the fine roll 17 Edward II. whereby the custody

custody of the borough was granted to the bailiffs, burgeses, and good men thereof, for five years, upon payment of 20*l.* yearly; and King Edward III. on the petition of burgeses, gave them the grant for ever on their paying the said yearly farm of 20*l.* per annum.

It was anciently incorporated; but the first charter met with is in 1610, whereby James I. appointed the government of the borough to be by two bailiffs and fifteen burgeses, who were to be called capital burgeses, and counsellors of the said borough, out of which the bailiffs were to be chosen. He also gave them power to chuse a recorder, &c. But all these liberties are more amply set forth and confirmed in the charter of King Charles I. in the 5th year of his reign, whereby he confirms their liberties, and grants that henceforth the said borough shall be a free borough; and the bailiffs, burgeses, and inhabitants thereof, should be a body corporate, consisting of, and subsisting by, the name of mayor, bailiffs, aldermen, and burgeses of the said borough; and there should be one mayor, two bailiffs, six aldermen, and six capital burgeses, of the inhabitants of the said borough; and also all the inhabitants of the said borough are incorporated,

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by

by the name of governor, assistants, and freemen of the said borough, over whom there shall be one governor, and twenty-four assistants, to be chosen out of the freemen of the said borough. It has returned burgesses to parliament ever since the 23d of Edward I.

There are about four hundred voters, and the right of election is in the inhabitants of the said borough, paying to church and poor, in respect of their personal estates; and in such persons as pay to church and poor, in respect of their real estates within the said borough. This was a resolution of the year 1720; and in 1775 it was resolved, that such persons as pay to church and poor, in respect of their real estates, within the borough of Dorchester, though not inhabitants, or occupiers, are entitled to vote. It was in the year 1720 determined, that that part of the parish, called *Holy Trinity*, alias *Dorchester Trinitatis*, which was formerly the parish of *Froome Whitfield*, is no part of the borough; and that the tithing of Collington-Row, within the parish of the Holy Trinity, alias *Dorchester Trinitatis*, is no part of the borough.

References

D O R C H E S T E R. 115

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1661	8	1720	19	1751	26
1676	9	1722	20	1756	27
1679	9	1728	21	1762	29
1689	10	1735	22	1765	30
1690	10	1737	22	1774	35
1701	13	1742	24		
1709	16	1750	26		

Substance of the Case of the last controverted Election.

The sitting members were Edward Ewer, Esq. and John Damer, Esq. and the petitioners were Anthony Chapman, Esq; and several inhabitants and electors of the borough of Dorchester.

The committee met on the 22d of February, and the two petitions were read. The first set forth, *in general*, that the petitioners had a majority of legal votes, and ought to have been returned; and the other alleged, *specially*, that divers persons were admitted to vote, who were neither "inhabitants, nor occupiers of real estates within the borough," and had no right.

The numbers on the poll were,

For Ewer,	—	232
For Damer,	—	214
For Chapman,	—	145

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But

But the counsel for Chapman alleged, that, if they were right in their construction of the determination of the right of election, the numbers of legal votes would be,

For Chapman, — 118

For Ewer, — 112

For Damer — 112

The counsel for the sitting members denied this; and it was determined that the construction of the last determination should be separately argued.

The last determination was, that the right of election lay in the inhabitants paying to church and poor, in respect of their personal estates; and in such persons as pay to church and poor, in respect of their real estates within the borough.

The counsel on the part of the petitioners contended, that the last clause of the determination meant only "such as are *occupiers* of real estates within the borough, and, in respect thereof, pay to church and poor."

The counsel for the sitting members contended, that it meant "owners of real estates within the borough, paying, in respect thereof, to church and poor, whether such real estates are in their own *occupation* or not."

The

The usage since 1720 was admitted to be in favour of out-voters.

The counsel on both sides entered into a long argument on the meaning of the last determination, which having concluded, the committee came to the following resolution:

“That it is the opinion of this committee, that, pursuant to the last determination of the house of commons, such persons as pay to church and poor, in respect to their real estates, within the borough of Dorchester, in the county of Dorset, though not inhabitants or occupiers, were entitled to vote at the last election of burgesses to serve in parliament for the said borough.”

The counsel for the petitioners, on being informed of this, said they were instructed not to give the committee any further trouble.

On Thursday, the 23d of February, the committee, by their chairman, informed the house, that they had determined,

That the two sitting members were duly elected.



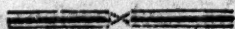
DORSETSHIRE.

THIS county is in the western parts of the kingdom, was joined under the same sheriff with *Somerset*, and sent members to parliament

liament from the time of the first returns in the reign of King Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1675	9	1711	16
1645	4	1677	9	1726	20



D O V E R.

THIS town or port is situated within the county of Kent, and is chief of the ancient Cinque or five Ports, which was their original number, viz. Dover, Sandwich, and Romney, in the time of the Confessor, and Hastings and Hythe, since added by the Conqueror. Lord Coke writes that Winchelsea and Rye were also added; but they were never accounted so, being only called ancient towns, and members of the said ports, in the several charters, which were confirmed by Charles II. Of these Cinque Ports, the constable of Dover castle, as warden, has the return of writs, and his residence was in the same castle; the first grant of which was to Pharus de Bolonia, in fee, at the time of the Conquest.

The

The corporation of this town consists of a mayor, twelve jurats, and thirty-seven common-council men. As to its representation in parliament, the writ was at first directed immediately to the bailiffs of Sandwich, and of the rest of the ports; not to the constable of Dover castle, and warden of the Cinque Ports, as in succeeding times; nor to the sheriffs of the counties: and though the words *parliamentum nostrum* are used, yet the chief motive of the summons was the king's need of theirs and others his barons presence in this parliament, as well as the temporal barons, most of whom were newly slain at the battle of Evesham, and the rest of their party then in actual arms and rebellion against the king. Also, that it was to send *four* of the legallest and discreetest men out of every port to the parliament, and not *two*, as in succeeding times, as if they had been then joint counsellors and assessors with the lords; so that, upon the whole, this writ does not appear to be a summons of them as parliamentary representatives.

Mr. Prynne has taken notice of no return before the 42d of Edward III. but in the 18th of Edward I. the barons of the Cinque Ports, and men of Jernemouth (*Yarmouth*), were present at

two parliaments as complainants against each other, touching their differences, though neither summoned as barons or burgesſes. In 22, 23, 25, 26, 27, and 29 Edward I. there were no writs directed to the conſtable of Dover, or warden of the Cinque Ports, to elect or ſend any barons to thoſe parliaments.

There are ſeven hundred voters, and the right of election was, in the year 1623, determined to be in the freemen and free burgesſes, inhabitants of Dover; and in 1770 it was reſolved, that the *non-inhabitant freemen*, as well as the *inhabitant freemen*, and *free burgesſes*, have voice in the election of barons to ſerve in parliament.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1623	1	1709	16	1756	27
1640	2	1717	18	1759	28
1646	4	1720	19	1765	30
1660	8	1723	20	1766	31
1672-3	9	1751	26	1770	32
1678-9	9	1755	27	1773	34
1697	12				

D O W N E.

DOWNETON.

THIS borough is within the county of Wilts, and returned members to parliament from the 26th of Edward I. to the 38th of Edward III. and then ceased till the 1st of Henry V. and from thence ceased again till the 20th of Henry VI. after which it has continued to return, as other boroughs, till this time.

There are about sixty voters, and in the year 1775 it was determined that the right of election was in persons having a freehold interest in burgage tenements, holden by a certain rent, fealty, and suit of court, of the Bishop of Winchester, who is lord of the borough, and paying reliefs on descent, and fines on alienation.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1711	16	1751	26
1645	4	1715	18	1753	26
1660-1	8	1726	20	1756	27
1670	9	1733	22	1757	29
1678	9	1741	24	1762	29
1697	12	1746	25	1771	33
1698	12	1747	25	1774	35
1700	13	1749	25	1779-80	37

Substance

Substance of the last Case of controverted Election.

The fitting members were, Thomas Duncombe, Esq. and Thomas Dummer, Esq. and the petitioners Sir Philip Hales, Bart. and John Cooper, Esq. and certain freeholders of the borough of Downeton.

The committee met on Saturday the 4th of February, and the petitions were read, setting forth, that several persons were allowed to vote at the last election who had no right, by which means a pretended majority was procured in favour of Duncombe and Dummer, and they were returned, although the petitioners, Hales and Cooper, had a clear majority of legal votes.

In the petition of Hales and Cooper there was likewise a charge of bribery against the fitting members; but this not being insisted on before the committee, the only question was concerning the right of the different persons who had polled at the election to vote.

The numbers on the poll, as produced by Edward Poore, Esq. the steward and returning officer, were,

For Mr. Duncombe	22
Mr. Dummer	22
Mr. Cooper	11
Sir Philip Hales	10

The

The counsel for the sitting members, on the opening of the cause, would not admit any general rule as to the right of voting; but both sides, in their arguments, considered it to be "in persons having a freehold interest in burgage tenements, holden by a certain rent, fealty, and suit of court, of the bishop of Winchester, who is lord of the borough, and paying reliefs on descent, and fines on alienation."

The counsel for the petitioners objected to nineteen or twenty of the voters for the sitting members.

It was proved, that the conveyances to some were made in 1768, but that the deeds had remained since that time in the hands of Mr. Duncombe, who is proprietor of near two thirds of the burgage tenements in Downeton; that the occupiers had continued to pay their rents to him, and expected to do so when they became due again, considering him as their landlord, and being unacquainted with the grants made by him to the voters; and that there were no entries on the court rolls of 1768 of those conveyances, nor of the payment of the alienation fines.

The conveyances to others appeared to have been *printed* at the expence of Mr. Duncombe, and executed after the writ and precept had issued,

issued, some of them being brought wet to the poll. The grantees did not know where the lands contained in them lay, and one man at the poll produced a grant for which he claimed a vote, which, on examination, appeared to be made to another person. It appeared, that the practice of making such conveyances about the time of an election had long prevailed in the borough, and that the votes so made are known by the name of *faggots*.

It was contended for the petitioners, that the votes in question were colourable, fraudulent, and void, both by the common law of parliament, and the statute of William III. commonly called the *splitting act*.

Besides the general objection of occasionality, fourteen of the votes for the sitting members were impeached for reasons drawn from the nature of burgage tenements.

They defined a burgage to be "*one undivided and indivisible tenement*, clearly described, neither created, nor capable of being created, within time of memory, which has immemorially given a right of voting."

On Tuesday, the 14th of February, the chairman informed the house, that the committee had determined,

"That

"That Thomas Duncombe, Esq. is not duly elected a burgesse to serve in this present parliament for the borough of Downeton.

"That Thomas Dummer, Esq. is not duly elected a burgesse.

"That Sir Philip Hales, Bart. the petitioner, ought to have been returned; and

"That John Cooper, Esq. the petitioner, ought to have been returned."

D R O I T W I C H.

THIS borough, anciently called Wyche, is situated in the county of Worcester, and sent burgesses to King Edward the First's parliaments; but ceased, as Doctor Willis writes, from the 4th of Edward II. in which Mr. Prynne agrees, and that it never returned again until 1554. from which time to this it hath been represented.

There are about forty voters; and the right of election is in the burgesses of the corporation of the salt-springs of Droitwich.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1714	17	1747	25
1646	4	1725	20	1768	32
1648	6	1730	21	1774	34
1690	10	1732	21	1777	36
1700	13	1736	22		
1711	16	1741	24		

DUNWICH.

THIS borough is situate in the county of Suffolk, was a borough at the time of the general survey, and had then in it one hundred and twenty burgesſes; but the number now is two hundred and thirty-fix. It was a city and episcopal ſee in 650, and had a charter of privileges granted to it by King John. Dunwich is now reduced to a ſmall village, but retains the privilege of being governed by two bailiffs, and has returned burgesſes to parliament from the 26th of Edward I. and in the 28th of Henry VI. they are ſaid in the indenture to be choſen by the bailiffs.

The right of election is not in the freemen commonly called out-fitters, as well as in the freemen inhabiting within the ſaid borough, *but only in the freemen inhabiting within the ſaid borough.*

By

DURHAM COUNTY. 127

By a resolution of 1691, it was determined to be in the freemen of the borough commonly called out-fitters, as well as in the freemen inhabiting in the said borough; but, by another resolution of 1695, it was determined to be only in the freemen inhabiting within the said borough, not receiving alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1695	11	1749	25
1669	9	1698	12	1755	27
1670	9	1699	13	1758	28
1670	9	1708	16	1762	29
1678	9	1722	20	1763	29
1688	10	1725	20	1764	29
1691	10	1737	23	1777	36

DURHAM COUNTY.

THIS was a county palatine, under the jurisdiction of the bishops of the diocese, and held a parliament of its own barons within itself; and before the statute of 27th of Henry VIII. the bishop constituted justices of assize, oyer and terminer; after which they came in most things subject to the regal power, though to this day they retain several privileges, such as the nomination of the sheriff; but they never were represented in a national parliament until since the Restoration.

References

128 D U R H A M C I T Y.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1562	1	1660	8	1679	9
1614	1	1667	9	1722	20
1620	1	1672	9	1749	25
1623-4	1	1675	9	1760	28
1640	2				

D U R H A M C I T Y.

THIS is the capital city of the county of that name, and is entitled to send members to parliament by statute 25th of Charles II. whereby its electors are the mayor, aldermen, and freemen.

There are about twelve hundred voters ; and in 1762 it was resolved, that the 215 persons, made, or pretended to be made, free of the city of Durham, since the death of Henry Lambton, Esq. late member of parliament for the said city, had not a right to vote in the late election of a citizen to serve in parliament for the said city.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1675	9	1725	20	1742	24
1676	9	1726	20	1753	26
1678	9	1729	21	1761	29
1711-12	17	1733	22	1762	29
1722	20				

E A S T-

EAST GRINSTEAD.

THIS borough is situated in the county of Sussex, and hath returned members to parliament from the 1st of Edward II.

There are thirty-six voters; and, with respect to the right of election, in 1679, it was resolved, that the borough of East-Grinstead is an ancient borough by prescription, and that the inhabitants, as well as the burgage-holders, of the said borough, have a right to vote: in 1695, however, it was resolved to be *not* in the burgage-holders and inhabitants of the said borough, but in the burgage-holders only.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1692	10	1741	24
1640	2	1694	11	1750	26
1645	4	1695	11	1761	29
1678-9	9	1708	16	1762	29
1680	9	1714	18	1765	30
1685	9	1722	20	1775	35
1688-9	10	1724	20		

EASTLOW.

THIS borough is situated in the county of Cornwall: it never sent members to parliament until the reign of Queen Elizabeth,

K

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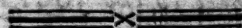
130 SAINT EDMONDSBURY.

from which time it hath ever since sent representatives.

There are about fifty voters; and the right of election is in the mayor, aldermen, burgesses, and freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1553	1	1701	13	1751	26
1640	2	1718	19	1762	29
1646	5	1722	20	1765	30
1660	8	1723	20	1766	31
1676	9	1727	20	1772	33
1678	9	1740	23	1774	35
1698	12				



SAINT EDMONDSBURY.

THIS borough is in the county of Suffolk, and had a precept sent to it to return burgesses to parliament 30 Edward I. After this, no precepts were sent, nor returns made, till King James I. in the 4th year of his reign, renewed or granted them this right, from which time it has constantly returned.

The right of election is in one alderman, 12 burgesses, and 24 common-council men.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1705	15	1733	22
1645	4	1708	16	1734	22
1660	8	1711	17	1748	25
1672	9	1713-14	17	1754	27
1679	9	1717	18	1756	27
1680	9	1722	20	1757	27
1696	10	1724	20	1763	29
1693	11	1730	21	1771	33
1703	14				

E S S E X.

THIS county is bounded on the one side by the river Thames, and adjoins to the metropolis of the kingdom. It sent knights to parliament in the 22d of Edward I. In the reign of Henry VI. Sir *Thomas Thorpe*, a baron of the Exchequer, represented this county, and was chosen speaker. In the vacation of parliament, in the 32d year of King Henry VI. an action was brought against him by the Duke of York for certain trespasses, for which he recovered 1000l. damages, and he was taken in execution for the same; whereupon the whole house of commons presented a petition to the king and lords for his enlargement; upon which the Duke of York made a representation to par-

liament. The matter was considered, and the king and lords refused to discharge him; whereupon the commons elected another speaker.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1693	11	1769	28
1662	8	1706	15	1768	29
1688-9	10	1715	18	1772	30
1690	10	1748	25	1774	33
1692	10				

E V E S H A M.

THIS borough is in the county of Worcester, and returned representatives to a parliament called by Edward I. but discontinued until 1st of James I. when he restored it, and incorporated it.

There are about six hundred voters; and the right of election is in the common burgesses.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1693	11	1743	24
1645	4	1697	12	1756	27
1660	8	1741	24	1761	29
1669	9				

EXETER.

DEVON

THIS city is situated within the county of Devon, and is the capital of the see or diocese of this name. It is of great antiquity, and accounted for in Doomsday-Book as the King's demesne, and hath been held by grant from Henry I. by Maud, the King's consort; and, in King John's time, Isabel, his consort, held it in dower. It was represented in parliament from the first parliament called by Edward I. and in the 27th of Edward III. the writ was directed to the mayor and bailiffs; but in the 27th of Henry VI. the sheriff of Devonshire returned the citizens for this city.

By this it appears that the representatives were only called burgesses; but in more modern times they were styled citizens, owing to the charter of King Henry VIII. whereby, by act of parliament, it became a county, and the writs are directed to the sheriff, who makes the return.

There are about fifteen hundred voters; and the right of election is in the freeholders and freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1680	9	1728	21
1640	2	1689	10	1734	22
1646	4	1695	11	1743	24
1660	8	1701	13	1767	31
1673	9	1707	15	1776	36

E Y E.

THIS is a very ancient borough, situate in the county of Suffolk, and was such at the time of the general survey, having then twenty-five burgesses. It is now a town corporate, governed by two bailiffs, a recorder, ten principal or superior, and twenty-four inferior burgesses, and has been represented in parliament ever since 13 Elizabeth.

There are about two hundred voters, and the right of election is in the inhabitants paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1716	18	1758	28
1675	9	1722	20	1760	28
1678	9	1743	24	1761	29
1680	9	1746	25	1762	29
1681	9	1747	25	1770	32
1697	12	1749	25	1774	34
1698	12	1757	28	1775	35

FLINT COUNTY.

FLINT COUNTY.

THIS is one of the Welsh counties empowered to send knights of the shire to parliament by the statute 27 Henry VIII. for although it had a right of sending a part, or rather in electing a part of the twelve for each province of the principality, in Edward II.'s time, as has been already observed, it made no particular return itself till after this statute.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1626	1	1669	9	1711	17
1646	4	1678	9	1758	28
1660	8				

FLINT TOWN.

THIS is the shire-town of the county of this name, and as such, with the boroughs of Rhyddlan, Overton, Caerwis, and Caergoerley, sends one burges to parliament.

With respect to the right of election, in 1728, it was resolved to be in the inhabitants of the boroughs of Flint, Rhyddlan, Overton, Caerwis, and Caergoerley, paying scot and lot; and it was also, in the same year, resolved to be equally in the inhabitants of Knolton, and Overton Foreign, paying scot and lot *in the parish of Overton.*

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1701	19	1727-8	21
1646	4	1721	19	1734-5	22
1660	8	1722	20	1736-7	22
1697-8	12	1723	20	1741	24

F O W E Y.

THIS is a borough within the county of Cornwall, which never sent burgesses to parliament until the year 1571, when it seems to have received its first summons.

The voters are reckoned sixty-three, and in 1701 the right of election was resolved to be in the Prince's tenants, who are capable of being portreeves of the said borough, and in such inhabitants of the said borough only as pay scot and lot; and in 1770 it was resolved, that the Prince's tenants, capable of being portreeves of the borough, are such tenants only as have been duly admitted upon the court-roll of the manor, and have done their fealty.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1702	14	1737	22
1648	5	1708	16	1746	25
1675	9	1711	17	1761	29
1696	11	1711	17	1765	30
1698	12	1719	19	1768-9	32
1699	13	1724	20	1770	32
1700-1	13	1726	20		

GATTON.

G A T T O N.

THIS is a small village in the county of Surrey, which acquired the privilege of returning burgesses 29 Henry VI. Mr. Prynn writes, it returned only one; but Doctor Willis has given the names of their representatives in the 33d of Henry VIII. and since.

The right of election in 1628 was in the inhabitants; and, the return made by them being adjudged good, was (by the then petitioner) insisted to be in the inhabitants not receiving alms, and in the freeholders having such freehold in their own occupation; and in the year 1696 the right of election was (by the then sitting member) insisted to be in the freeholders, and inhabitants paying foot and lot, and he was adjudged duly elected.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1620	1	1664	8	1749	25
1628	1	1696	11	1751	26
1641	2	1725	22	1752	26
1645	4	1738	23	1761	29
1660	8	1745	25	1774	35

SAINT GERMANS.

SAINT GERMANS.

THIS is a borough within the county of Cornwall, and never was represented in parliament until 1562, when its right of sending members to parliament was questioned.

There are fifty voters; and the right of election is in the freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1658	7	1732	22	1759	28
1699	13	1733	22	1765	30
1700	13	1733	23	1775	35
1715	18	1748	25	1776	35
1718	19	1751	26	1778	36

GLAMORGANSHIRE.

THIS county is situate in the southern part of Wales, and is one of the twelve whose liberty of returning a member to parliament was founded on the statute of 27 Henry VIII.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1669	9	1734	22	1756	27
1699	13	1736	22	1763	29
1711	16	1744	24	1767	31

GLOUCESTER

GLOUCESTER COUNTY.

THIS county is situate upon the Severn, by which it is bounded: it has been represented in parliament from the first summons of King Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1624	1	1664	8	1720	19
1640	2	1695	11	1763	29
1646	4	1702	14	1776	35
1660	8	1717	18	1776	36
1662	8				

GLOUCESTER CITY.

THIS city is the shire-town of its county: it was incorporated by King Henry III. anno 1216. The parliament has often sat here, and it has returned burgesſes from the 26th of Edward I.—There are two thousand voters; and the right of election is in the freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1702	14	1726	20
1654	7	1709	16	1727	21
1675	9	1715	18	1741	24
1677	9	1722	20	1751	26
1680	9	1723	20	1755	27
1690	10				

GRAM-

GRAMPOUND

THIS borough is in the county of Cornwall and was created by John of Eltham, son of King Edward II. Earl of Cornwall, who granted to his burgesses of Grauntpont, or Great Bridge, the whole town, and several other lands, and made it a free burgh. It was afterwards recited in a charter of King Richard II. and in letters patent of Henry VIII. who confirms it. It never returned burgesses to parliament until the 6th of Edward VI. from which time it has continued so to do.

There are about fifty-nine voters, and the right of election is in the mayor, recorder, and the inhabitants paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1566	1	1698	12	1738	23
1625	1	1720	19	1741	24
1640	2	1726	20	1742	24
1660	8	1731	21	1774	34
1692	10				

GRANTHAM.

THIS borough is situated in the county of Lincoln, but never returned members to parliament until the 7th of Edward IV. who made

made it a free borough anno 1263, from which time it has returned members.

There are about four hundred voters, and the right of election is in the freemen of the said borough not receiving alms or charity.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1580	1	1678	9	1710	16
1586	1	1685	9	1745	25
1660	8	1697	12	1770	34
1677	9				

GREAT GRIMSBY.

THIS borough is situated in the county of Lincoln. It was a mayor-town in Edward the Third's time, and sent members to parliament in the 26th of Edward I. and has so continued ever since. It is a liberty, and made its own returns, as appears by their indenture.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1690	10	1715	18
1666	8	1699	13	1720	19
1667	9	1700-1	13	1722	20
1672	9	1705	15	1741	24
1675	9	1713-4	17	1762	29

GUIL-

GUILFORD.

THIS borough is situated in the county of Surrey, and sent members to parliament from the 26th of Edward I. to these times.

The right of election is only in the freemen and freeholders paying scot and lot, resident in the town; and any one who has served seven years to a freeman, is, *ipso facto*, a freeman.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1698	12	1727	21
1648	5	1699	13	1740	23
1664	8	1710	16	1743	24
1679	9	1713-4	17	1765	30
1688-9	10	1717	18	1769	32

HAMPSHIRE.

THIS is a very large county in the western circuit of this kingdom, and has returned members to parliament from the 22d of Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1712	17	1734	22	1759	28
1717	18	1735	22	1765	30
1723	20	1754	27		

HARWICH.

HARWICH.

THIS borough is in the county of Essex, and made one return to parliament in the 17th of Edward III. but after that ceased until the 12th of James I. who then by his charter granted that privilege again, since which it has continued so to do till this time.

There are thirty-one voters; and the right of election is in the mayor, aldermen, and capital burgeses, or headboroughs, resident within the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	5	1743	24	1763	29
1663	8	1745	24	1765	30
1690	10	1753	26	1766	31
1698	12	1756	27	1767	31
1708	16	1758	28	1772	34
1713	17	1761	29	1778	36

HASLEMERE.

THIS borough is situate within the county of Surrey, and was never represented in parliament until the 27th of Queen Elizabeth; from

from which time it has continued so to be till now.—The inhabitants, freeholders, only, have a voice in elections. By the word freeholders are meant only freeholders of messuages, lands, or tenements, lying within the borough and manor of Haslemere, whether the same pay rent to the lord of the said borough and manor or not; exclusive of any lands or tenements, which are, or have been, parcel of the waste ground of the said borough and manor, or any messuages or buildings which are, or shall be, standing thereon.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1649	6	1704	14	1754	27
1661	8	1708	16	1759	28
1675	9	1710	16	1761	29
1680	9	1713	17	1768	32
1698	12	1715	18	1774	34
1702	14	1722	20	1776	36

Substance of the last Case of controverted Election for this Borough.

The sitting members were, Thomas More Molyneux, Esq. and Sir Merrick Burrell; and the petitioners William Barks, Esq. and Henry Kelly, Esq. and certain inhabitants, freeholders, and legal voters of the borough.

On

On Saturday the 1st of April the committee met, and the petitions were read.

Mr. Bunke and Mr. Kelly alleged that votes had been admitted for the sitting members that were not legal, and that the majority of legal votes were in favour of the petitioners.

The other petition stated, that Haslemere is a borough by prescription, and that, of late years, the practice of splitting and dividing freeholds for election purposes had prevailed so much, that, if the same is not remedied, and prevented for the future, the constitution of the borough would be totally subverted.

The last determination of the right of election made it in the inhabitant freeholders.

This was explained to mean *only freeholders of messuages, lands, or tenements*, lying within the borough and manor of Haslemere, whether the same pay rent to the lord of the manor or borough, or not; exclusive of any lands or tenements which are, or have been, parcel of waste ground of the said borough and manor, or any messuages or buildings which are, or shall be, standing or being thereon.

It is understood not to be necessary that the voters should occupy the freeholds for which they

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vote.

vote. It is enough that they live in Haslemere, and have freeholds there.

The counsel for the petitioners contended, that by the words "whether the same *pay* rent to the lord of the said borough or manor, or not," was only meant, "whether they *de facto* pay, or not;" but that it was still competent to them to shew, by evidence, that no freeholders can vote, but those who *ought* by the nature of their tenure to pay to the lord.

On the other side, it was said, that the words of the resolution mean "persons bound by law to pay;" for that the house must be supposed to have presumed that persons, who were bound to pay, did pay; and therefore that to say "*whether the same pay or not*," was the same thing as to say "whether the same are holden by paying, or not," or "whether the freeholders are bound to pay, or not."

The committee resolved, that the counsel for the petitioners should not be admitted to produce evidence tending to shew that only persons *paying*, or *liable to pay*, a rent to the lord, have a right to vote.

The numbers on the returning officer's poll stood as follow:

For

For the sitting members 64

For the petitioners 40

Majority 24

The counsel for the petitioners objected to forty-seven of the voters for the sitting members, on several different grounds :

35, voting for tenements split, within the meaning of the act of King William.

6, as claiming their rights from freeholds within the manor.

1, his property being leasehold, and part of the waste.

2, having no interest but a rent reserved on a term.

3, as not having freeholds.

47

To six of the above they likewise objected the receipt of a charity called *Smith's* charity.

After a great deal of argument, the counsel for the sitting members proceeded to their objections to the voters for the petitioners, which were as follow :

I. To some, as having voted for tenements split for election purposes, within the meaning of the statute of King William.

L 2

II. To

II. To others, as having voted under fraudulent conveyances, having never been in possession, and not having any beneficial interest in their supposed estates.

These two objections went to about 24 votes.

III. To one as having received parish relief (if the committee should think that a disqualification).

IV. Their last objection went to all the other votes for the petitioners, and to some of those objected to under the first head.

After a variety of arguments on each side, the committee, on the 9th of May, informed the house, by their chairman, that the two sitting members were duly elected.

HASTINGS.

THIS is one of the Cinque Ports, whose right of representation in parliament is to be found in what is mentioned of *Dover*. From the 42d of Edward III. it has been entitled to this privilege.

There are two hundred voters; and the right of election is in the mayor, jurats, and freemen resident, and not receiving alms.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1626	1	1701	13	1742	24
1645	4	1709	16	1749	25
1689	10	1713	17	1775	35
1690	10	1727	21	1778	37
1698	12	1735	22		

HAVERFORD-WEST.

THIS is a borough within the county of Pembroke, and sends one member to parliament, in lieu of a shire-town for the county of Merioneth. It is a county of itself, by a charter of King Edward IV. afterwards by Henry VIII. and lastly by King James I. It was incorporated by King James I. and the last charter directs, and appoints, that it should be called by the name of mayor, sheriff, bailiff, and burgesses, of Haverford-West, during the will and pleasure of the said King James.—It has returned one burgess to parliament, from the 27th of Henry VIII.

There are about five-hundred voters; and the right of election is in the freeholders, burgesses, and inhabitants, paying scot and lot, and not receiving alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1624	1	1667	9	1716	18
1645	4	1677-8	9	1725	20
1660	8	1679	9	1735-6	22
1662	8	1610	9	1741	24
1663	8	1714	18	1742	24
1666	8	1715	18	1743	24

HELSTON.

THIS borough is in the county of Cornwall, and has sent representatives to parliament from the 26th of Edward I. who were chosen in the 7th of Edward IV. by all the burgesſes.

In the year 1660 the right of election was determined to be *not* in the mayor and inhabitants at large ; and in 1775 it was resolved to be in the mayor, aldermen, and freemen, only.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	5	1710	16	1738	23
1660	8	1713-14	17	1766	30
1665	8	1723	20	1767	31
1690	10	1725	20	1774-5	35
1708	16				

Substance of the last Case of controverted Election.

The fitting members were, the Right Hon. Francis Godolphin Osborne, commonly called the

the Marquis of Carmarthen, and Francis Owen, Esq.; and the petitioners were Philip Yorke, Esq. and Francis Cust, Esq. and Richard Johns, jun. Alderman; and Matthew Wills, Richard Johns, Edmund Johns, Richard Perittall, and William Rogers, freemen of Helston.

On Saturday, the 11th of March, the committee met, and the two petitions were read, containing special allegations of the principal part of the following facts, which were all either proved or admitted on the trial of the cause.

Helston is a borough by prescription, and also by a charter of the 27th of Queen Elizabeth, confirmed by another of the 16th of Charles I.

By these charters the corporation was to consist of a mayor, four aldermen, and an indefinite number of freemen. The freemen were to be elected out of the inhabitants by the mayor, aldermen, and commonalty; or the mayor part of them; the aldermen, by the mayor and aldermen, out of the freemen; the mayor, by the freemen, out of two aldermen; to be nominated by the mayor and aldermen. Almost since the reign of Queen Elizabeth,

the mayor and aldermen had assumed and exercised the exclusive power of electing freemen, and the *commonalty* had never had any share in it.

In Easter term, 1769, two informations, in the nature of *quo warranto*, were exhibited in the court of King's Bench against several persons in the borough, to shew by what authority they claimed to be freemen, having been elected without the concurrence of the commonalty. By these and other prosecutions of the same sort, judgment of *ouster* was obtained against all the members of the corporation, except two aldermen, and eight freemen.

Such being the state of the borough, a petition was presented to the King and Council, in Nov. 1772, from several merchants, tradesmen, freeholders, and inhabitants of Helston, in which Thomas Glynn and Thomas Wills, two of the ten remaining corporators, joined, setting forth, that the corporation was *totally dissolved*, and praying relief: against this, a major part of the subsisting corporators entered a *caveat*.

After the matter being argued before the attorney and solicitor general, and a committee of the lords of the privy council, a new charter was granted, bearing date the 3d of September,

1774.

In

In the recital thereof it is said, "that the corporation is now in danger of being dissolved;" and this expression was substituted in place of words importing that it *was dissolved*, in consequence of the arguments of counsel.

The charter was, on the 8th of September, delivered to *Thomas Glynn, Esq.* the new mayor, who accepted it; and on the 9th issued notices severally to all the new corporators, requiring them to meet on the 12th, in order to accept of the charter, and the offices to which they were thereby named. Accordingly, in consequence of those notices, they met on the 12th, and all but six old corporators, petitioners to the house of commons, accepted the charter and their offices, and took the oaths. Each of these *six* severally read a protest against the charter, and refused to accept or act under it.

On the day of the election, the mayor under the new charter read the precept, and proceeded to the election, against which the six old corporators protested, and returned the Marquis of Carmarthen and Mr. Owen.

The six old corporators afterwards met, and made choice of Mr. *Yorke* and Mr. *Cust*, and gave the return to the sheriff, who sent it to the clerk of the crown, but annexed the return of the

154 HEREFORDSHIRE.

the Marquis of Cambridge and *Mr. Owen* to the writ. The clerk of the crown accepted the latter, but refused the former.

The question before the committee was, whether the return under the *old* or the *new* charter was the *legal* return?

A variety of arguments on each side was used: the counsel for the sitting members contended that the *old* charter was actually dissolved; and the counsel for the petitioners maintained that the *old* charter *was not dissolved*, as appeared by the very recital to the *new* one, which set forth, "that the corporation is now *in danger of being dissolved*."

On Tuesday, the 14th of March, the committee reported to the house that they had determined,

That *Philip Yorke, Esq.* and *Francis Cast, Esq.* the petitioners, were duly elected, and ought to have been returned.

~~to sit in the House of Commons~~

HEREFORDSHIRE.

THIS county is the boundary of England towards Wales, and has been represented in parliament from the first summons of Edward I. to this time.

References

HEREFORD CITY. 155

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1710	16	1755	27
1691	10	1712	17	1764	29
1692	10	1716	18	1767	31
1708	16	1741	24		

HEREFORD CITY.

THIS city is the capital of the county of its name, and is said to have been incorporated by King John; but the present charter was granted by King James I. in the 17th year of his reign. Here are a mayor, six aldermen, and twenty-four common-council men. It returned citizens to parliament the 28th of Edward I. and has so continued to do. The manner of election, in the 5th of Henry V. appears to have been in the citizens in general, and the return by the mayor and eleven others. — There are about twelve hundred voters; and the right of election is in all the freemen, and also in all the inhabitants, being householders, and not receiving alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1642	2	1689	10	1717	18
1646	4	1699	13	1727	21
1660	8	1712	17	1734-5	22
1661	8	1715	18	1764	29
1672	9	1716	18		

HERT.

HERTFORDSHIRE.

THIS county hath been represented in parliament from the first returns of Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1620	1	1667	9	1695	11
1641	2	1669	9	1736	22
1665	8	1690	10	1755	27

HERTFORD TOWN.

THIS is the capital or shire-town of the county of this name, which returned burgeses to parliament in the 26th of Edward I. but sometimes intermitted between that time and the 50th of Edward III. after which it was omitted; the sheriff making no precept to, or they electing any burgeses, it seems, to avoid the payment of their expences, by reason of poverty, though this was the shire-town; and thus it continued until the year 1621.

There are about seven hundred voters; and the right of election is in the inhabitants not receiving alms, and in such freemen only as, at the time of their being made free, were inhabitants.

bitants of the said borough, or the parishes thereof, the number of freemen living out of the borough not exceeding three persons.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1621	1	1675	9	1711	16
1624	1	1676	9	1715	18
1628	1	1697	12	1722	20
1640	2	1700	13	1726	20
1645	4	1701	13	1759	28
1658	7	1705	15	1770	32
1672	9	1708	16		

HEYDON.

THIS borough is in the county of York, and first sent members to parliament in the 23d of Edward I. according to Doctor *Willis*: but Mr. *Prynne* has taken no notice thereof in his Register; and in his *Brevia Parliamentaria Rediviva* writes, that, in the 50th of Edward III. there was a summons by the sheriff to the bailiff, but no return; one precept, but no election. It was never after summoned until the 1st of Edward VI. from which time to the present it has returned.

There are about one hundred and fifty voters; and the right of election is in the burgesses.

References

158 HIGHAM FERRERS.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1658	7	1710	16	1741	24
1660	8	1721	19	1744	24
1680	9	1722	20	1746	25
1695	11	1723	20	1755	27
1702	14	1739	23	1765	30
1707	15				

HEYTESBURY.

THIS borough is in the county of Wilts, and sent members to parliament in the 28th of Henry VI. and from thence to this time.

There are about fifty voters; and the right of election is in the burgage-holders.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1658	7	1720	19	1750	26
1661	8	1725	20	1775	35

HIGHAM FERRERS.

THIS borough is situated in the county of Northampton, and was not a borough in the 38th of Henry VI. but was then the King's manor; and in the 2d and 3d of Philip and

and Mary it was incorporated and made a borough, consisting of a mayor, seven aldermen, and thirteen burgesses, who were to have power to elect one burgess to parliament; from which time it has elected and returned such burgesses.

—There are about one hundred voters; and the right of election is in the mayor, aldermen, burgesses, and freemen, being householders, and not receiving alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1689	10	1726	20
1658	7	1700	13	1741	24
1660	8	1701	13	1753	26
1678	9	1702	14	1755	27
1685	9	1713	17	1765	30
1688	10	1723	20		

H I O N D O N.

THIS borough is situated in the county of Wilts, and never returned members to parliament until the 27th of Henry VI. since which it has constantly returned.

The right of election is in the inhabitants of houses within the said borough, being housekeepers and parishioners, not receiving alms.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1621	1	1700-1	13	1727	21
1641	2	1702	14	1734	22
1645	4	1704	14	1737	22
1660	8	1708	16	1751	26
1676	9	1711	16	1756	27
1691	10	1713	17	1757	28
1697	12	1715	18	1774	33
1698	12	1720	19		

Substance of the last Case of controverted Election.

The sitting members were, Richard Smith, Esq. and Thomas Brand Hollis, Esq. and the petitioners were, James Calthorpe, Esq. and Richard Beckford, Esq.

The committee met the 1st of February, and the petition was read, setting forth, that the two sitting members had, by the bribery of themselves and agents, previous to and during the election, procured themselves to be returned, although the petitioners were duly elected, and ought to have been returned.

The last determination was read, resolving the right of election to be in the inhabitants of houses within the borough, being housekeepers and parishioners, not receiving alms.

The

The numbers on the poll were as follow :

For Richard Smith, Esq. 163

Thomas Brand Hollis, Esq. 161

James Calthorpe, Esq. 63

Richard Beckford, Esq. 32

The counsel for the petitioners, in opening their case, stated, that they hoped to bring home such proof of bribery to all or the major part of the voters for the sitting members, as would annihilate their votes, and leave the majority with the petitioners; or, at least, by proving bribery on both the candidates who had been returned, they would disqualify them from sitting, and make void the election.

When they had closed their evidence and arguments, the counsel for the sitting members endeavoured to justify their clients and their voters, and retorted the charge of bribery on the petitioners and their voters.

The evidence on both sides may be seen in the report, printed by order of the house.

On Tuesday, February the 14th, the committee determined,

“ That Richard Smith, Esq. is not duly elected.

“ That Thomas Brand Hollis, Esq. is not duly elected.

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“ That

" That *James Calthorpe*, Esq. is not duly elected.

" That *Richard Beckford*, Esq. is not duly elected; and

" That the last election was a void election."

At the same time, Mr. *Dundas* acquainted the house, that a very considerable majority of the electors had been bribed and corrupted in a very gross and extraordinary manner, and that several of the electors had been concerned as agents for that purpose.

After considering the report, it was agreed by the house,

" That it appears that *Richard Smith*, Esq. by his agents, has been guilty of notorious bribery."

The like resolution respecting Mr. *Hollis* was also agreed to: also, that the Rev. John Nairne, of Hindon; Fasham Nairne, Esq. late of Bury-street, St. James's; Francis Ward, of Sherborne-lane, London; — Stevens, a butcher, at Salisbury, commonly called *Jobber Stevens*, &c. (in all thirteen) have acted as agents.

A bill was then ordered to incapacitate from voting at elections of members of parliament 190 persons, besides the thirteen above-mentioned, out of 210 who had polled at the election,

tion, and for the preventing bribery and corruption in the election of members to serve in parliament.

On the 8th of March the bill was read, and ordered to be read a second time on the 19th of that month. It was of course ordered to be printed, and a printed copy of the bill, with the order for the second reading, was ordered to be served on all the persons named in it; and it was resolved, that leaving them at their respective abodes should be good service.

On the 28th, certain inhabitants of Hindon petitioned the house against the bill, and prayed to be heard by their counsel at their bar.

The petition was ordered to lie on the table until the bill should be read a second time.

The day following, the order of the day being read for the second reading, the messenger, who had been charged with the service of the copies of it on the parties, was called to prove such service; and Thomas Spencer, one of the persons named in the bill, was, at his own desire, heard on behalf of himself against the bill. The bill was then read a second time, and committed, when it was resolved, that the petitioners should be heard by themselves or their counsel.

On Monday, the 10th of April, a petition of *John Nairne*, Clerk, was presented against the bill, and praying to be heard by counsel; and the same was granted.

In this committee, it being proposed to call certain persons named in the bill, and incapacitated by it, to prove the allegations it contained, it was objected that they, being parties, and like defendants in an indictment, could not, without overturning the known rules of law and justice, be received as witnesses in this case. This objection produced a debate; and though it was treated as of no weight by some gentlemen of the long robe, it was strenuously supported by others, and proved fatal to the bill; for all the persons who were capable of proving the facts, and who had proved them before the select committee, were themselves offenders, and named in the bill.

Leave was thereupon given for bringing in a new bill, similar to the former one, but leaving out the names of certain persons who were intended to be made use of as witnesses; but on account of the absconding of *Thomas Spencer* and *John Becket*, two material witnesses, the bill was put off till next session, and an order was made for the attorney-general to prosecute
Mr.

Mr. *Smith*, Mr. *Hollis*, Mr. *Calthorpe*, and Mr. *Beckford*; and a proclamation being issued out for apprehending *Spencer* and *Becket*, they surrendered, and were committed to Newgate.

At length, by a sort of *tacit* agreement of all parties, the ensuing session, the whole was dropt; and it was resolved that Mr. Speaker do issue his warrant for two burgesses for the borough of Hindon, the last election having been declared void.

Bribery at elections is held to be a crime at common law, independent of any statute against it, and to be punishable either by indictment or information. The Attorney General adopted the latter mode of prosecution, and separate informations *ex officio* were filed by him in Trinity term, 15 George III. against the four candidates, *Smith*, *Hollis*, *Calthorpe*, and *Beckford*. This was in June, 1775.

In Hilary term, 16 George III. the defendants pleaded not guilty, and issue being joined, all the four informations were tried, at the Lent affizes, in the county of Wilts, in March, 1776, before Mr. *Baron Hotham*.

Mr. *Calthorpe* and Mr. *Beckford* were acquitted, and Mr. *Smith* and Mr. *Hollis* were found guilty; and on Monday, the 20th of

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May,

May, being the last day of Easter term, 16 George III. they were brought up to the court of King's-Bench, to receive judgment of the court; but, as the judges were desirous to have longer time to consider of the proper punishment, they were committed, till the next term, to the King's-Bench prison.

Previous, however, to this commitment, viz. on the 16th of May, the new election for Hindon took place; and Mr. *Smith* having again declared himself a candidate, he was returned, together with *Henry Dawkins*, Esq.

On Saturday, the 7th of June, Mr. *Smith* and Mr. *Hollis* were again brought up for judgment, when they were each of them adjudged to pay a fine of 1000 marks, and be imprisoned six months, and until they paid their respective fines; and it was ordered, that *Richard Smith* should, at the expiration of his imprisonment, give security for his good behaviour for three years, himself in the sum of 1000*l*. and each of the sureties in 500*l*.

H O N I T O N.

THIS borough is in the county of Devon, and returned members to parliament in the 28th of Edward I. 4th of Edward II. 12th, 17th,

17th, 19th, 22d, and 26th of Edward III. according to the *Brevia Parliamentaria Rediviva*; but in the Register Mr. Prynne takes notice only of the 28th of Edward I. and 4th of Edward II. It afterwards ceased until the year 1640, when it was restored, and from that time to this it has been represented.

There are about four hundred and fifty voters; and the right of election is in the inhabitants, housekeepers, within the said borough, commonly called *pot-wallers*, not receiving alms of the parish.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1715	18	1735	22
1645	4	1716	18	1746	25
1680	9	1722	20	1747	27
1685	9	1724	20	1763	29
1700-1	13	1727	21	1766	31
1710	16	1728	21	1774-5	35
1713	17	1729-30	21		

H O R S H A M.

THIS borough is situated in the county of Suffex, and has been summoned to send burgesses to parliament from the 28th of Edward I. Mr. Bohun writes, "The borough of Horsham is held of the Duke of Norfolk, as lord thereof. The house, or land, that

pays twelve-pence a year to the duke, is called a whole burghership; but these tenancies have been splitted into such small parts, that he who has only so much land, or part of a house, as pays two-pence a year, is now by custom entitled to vote for members to serve in parliament: but it is the tenant of the freehold, though not resident in the place, or occupier of the house, or land, that has the right to vote.

“*Note.* Two bailiffs are chosen annually at Michaelmas in the court-leet held by the Duke’s steward there, and they are the principal officers that return the members to serve in parliament: and all alienations or alternations of tenure must be presented at the said court-leet: for though, at other places in that county, as at Midhurst, held of the *Viscount Montague*, and East-Grinstead, held of the Lord Dorset, they are admitted to vote from their deeds and evidences they produce at the election; yet here are none admitted to poll, but those whose right to be a burghers is found by the homage; nor will they admit tenants *pur outre vie* to be freeholders, or to have a vote in electing members to parliament for the said borough.”

There are about sixty voters; and the right of election is in all such persons as have an estate

HUNTINGDON TOWN. 169

estate of inheritance, or for life, in burgage houses, or burgage-lands, lying within the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1658	7	1710	16	1736	22
1669	9	1713	17	1748	25
1701	13	1715	18	1763	29
1705	15	1721	19	1770	32
1706	15	1727	20	1776	36
1707	15	1735	22	1780	37

HUNTINGDONSHIRE.

THIS county hath been represented in parliament from the first summons of Edward I. It was joined in the same writ with Cambridgeshire, and one sheriff held the courts for both counties.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1626	1	1707	15	1757	27
1645	4	1710	16	1762	29
1672-3	9	1739	23	1765	30
1693	11	1745	25	1771	33
1698	12				

HUNTINGDON TOWN.

THIS is the shire-town of the county, and was made a borough by King John, 1206; and King Charles I. constituted a mayor thereof

thereof in 1630. The representation of it in parliament has been from the 26th of Edward I. In the 7th of Henry VII. the indenture is between the sheriff and eight persons styled burgeses. — There are two hundred voters; and the right of election is in the freemen and inhabitants.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1705	15	1774	34
1678	9	1710	16	1776	35
1697	12	1741	24	1776	36
1700-1	13	1747	25		

H Y T H E.

THIS town is situated in the county of Kent, and, according to *Lord Coke*, was made one of the *Cinque Ports* by William the Conqueror, and hath enjoyed the privileges thereof; first, by the name of the jurats and commonalty of the town and port of Hythe; but Queen Elizabeth hath since, by her particular charter, incorporated them by the name of mayor, jurats, and commonalty.

There are about seventy voters; and the right of election is in the mayor, jurats, common-council, and freemen.

References.

ILCHESTER.

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References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1709	16	1737	22
1672	9	1710	16	1744	24
1673-4	9	1712	17	1765	30
1685	9	1727	21	1766	31
1708	16	1736	22		

ILCHESTER.

THIS is the shire-town of the county of Somerset, whose right of returning members to parliament commenced in the 26th of Edward I. and continued to the 34th of Edward III. and then ceased, as Mr. Prynne writes, until the 12th of Edward IV. after which it intermitted until 1621, when it was restored.

There are about one hundred voters; and the right of election is in the bailiff, capital burgesses, and inhabitants not receiving alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1621	1	1685	9	1722	20
1640	2	1688-9	10	1734-5-6	22
1645	4	1700	13	1755	27
1646	4	1702	14	1756	27
1661	8	1708	16	1761	29
1678-9	9	1711	16	1765	30
1680	9	1715	18	1774-5	35

Substance

Substance of the last Case of controverted Election.

The sitting members were, *Peregrine Cust*, Esq. and *William Innes*, Esq.; and the petitioners were, *Richard Brown*, Esq. and *Inigo William Jones*, Esq. and sundry voters of the borough.

On Saturday the 25th of November, the committee being met, the two petitions were read. That of *Mr. Brown* and *Mr. Jones* set forth, that the returning officer had shewn great partiality in favour of the sitting members, and had admitted many persons to vote for them who had not a right to poll, and rejected several persons who had a right to vote, and had tendered their votes for the petitioners; and also accused the sitting members, their friends, and agents, of bribery and treating.

The petition of the voters set forth, that their votes had been rejected, while the votes of others under the same circumstances had been admitted; and that many of the electors had been influenced by money and provisions.

The counsel for the petitioners confined themselves, on the trial of the cause, to the charge of bribery and treating.

The

The constitution of the place was agreed on to be as follows: it is a borough by prescription, and sent members to parliament from the time of Edward I. till 34 Edward III. From that time it did not chuse representatives till 18 James I. when it was restored to its ancient privileges. By a charter granted 3 and 4 Philip and Mary, the inhabitants were incorporated by the name of the bailiff and burgesses of Ilchester. There was to be a bailiff and twelve capital burgesses, who were to chuse annually, on the Monday before Michaelmas, one of themselves to be bailiff for the ensuing year; on the death of any of the capital burgesses, his or their place to be supplied out of the common burgesses, by the election of the remaining capital burgesses. The charter says nothing of the qualification necessary to common burgesses; nor of the mode of electing the members of parliament.

By a resolution of the 28th of January, 1702-3, the right of election was agreed to be in the bailiff, capital burgesses, and inhabitants, not receiving alms.

And, on the present occasion, both sides seemed to admit, that, by the usage of the borough, an inhabitant, in order to be qualified to vote, must be a householder, and have a legal settlement.

The

The numbers on the poll were,

For Mr. Innes 103

Mr. Cust 102

Mr. Brown 53

Mr. Jones 53

The counsel for the petitioners undertook to prove, that such a number of the voters for *Cust* and *Innes* had been bribed, as, when deducted from the poll, would leave the majority of legal votes in favour of *Brown* and *Jones*, so as to entitle them to be declared duly elected; and, if they should not succeed in affecting a sufficient number of the votes for the sitting members to answer that end, still, they said, they would prove acts of bribery by them, or their agents, so as to void the election, by rendering them incapable of retaining their seats.

The counsel for the sitting members, after attempting, by evidence and argument, to overturn the case which had been made against them, endeavoured to prove, that *Brown* and *Jones*, by bribery and promises, had disqualified themselves, even if the majority of legal votes had been in their favour; and, consequently, that at all events they could not be declared duly elected.

On Monday, the 4th of December, the committee, by their chairmen, informed the house, that none of the four candidates were duly elected; and that the last election was a *void* election.

IPSWICH.

IPSWICH.

THIS is the principal or thire town of the county of Suffolk, and was a borough at the time of the general survey, and had therein 538 burgeses, as appears by the entry in Little Doomsday-Book. They had a charter of free markets of William the Conqueror; and King John granted it greater privileges in the first year of his reign. It has had seventeen charters since that time: one from Henry III. one from Edward I. one from Edward II. one from Henry VII. two from Henry VIII. one from Edward VI. one from Queen Elizabeth, and one from James I. which were all confirmed by Charles I. It is now a town corporate, by charter granted by King Charles II. consisting of two bailiffs, a recorder, ten portmen, and twenty-four common-council men, and has returned burgeses to parliament from the 26th of Edward I.

There are about six hundred voters, and the right of election in 1710 was determined to be in the bailiff, portmen, commonalty, and freemen, not receiving alms. In 1714 a resolution passed, that portmen are an essential constituent part of the great court for making freemen of the

the said borough, without some of which portmen being present the said court cannot be held.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1713	17	1732	22
1660	8	1716	18	1757	28
1680	9	1725	20	1759	28
1689	10	1729	21	1762	29
1710	16				

SAINT IVES.

THIS borough is situated within the county of Cornwall; but when it was made a borough doth not appear, nor did it send burgeses to parliament until the last year of Queen Mary, from which time it has continued so to do.

The number of the voters are about one hundred and eighty-three; and the right of election is in the inhabitants paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1562	1	1699	12	1722	26
1646	5	1700-1	13	1747	25
1660-1	8	1702	14	1751	26
1664	8	1708	16	1763	29
1665	8	1710	16	1768-9	32
1690	10	1713	17	1774	35
1691	10	1721	19	1778	37
1698	12				

KENT.

K E N T.

THIS county is near the metropolis of England, and bounds upon the ocean. It is large in circumference, and has been represented in parliament from the 22d of Edward I. It has the singular happiness never to have had an election controverted in parliament; but, in the 2d of Henry VI. there was a dispute in regard to the payment of wages for knights of the shire.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	24	1732	22	1760	28
1691	10	1734	22	1763	29
1711	16				

KING'S LYNN.

THIS borough is situate in the county of Norfolk, and was incorporated in the 5th year of King John, 1204. It was summoned to send members to parliament in the 26th of Edward I. but in that year, and the 28th, and 30th, of the same reign, the sheriff of Norfolk returns

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"*Ballivus de hundredo de Frethebrigh de hominibus eorundem nihil mihi respondit;*" but did return from the 6th of Edward II. The names of the representatives were indorsed on the county writ, but in the 15th of that reign the sheriff makes a special return. To the same effect was the return in the 16th year of that king; but in the 2d of Henry V. Mr. Carew says, he finds an indenture between the sheriff and steward of the liberty, whereby it appears the election was made in pursuance of the sheriff's precept. But after this the mayor returns, and from the 7th of Edward IV. the county of Kent has been constantly represented.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1675	9	1723	20
1649	6	1709	16	1738	23
1656	7	1711-12	17	1741	24
1668	9	1715	18	1757	27
1669	9	1720-1	19	1762	29
1672	9				

KINGSTON UPON HULL.

THIS borough is situated in the county of York, and, as *Doctor Willis* writes, it sent burgesses to parliament once in Edward the First's time;

KNARESBOROUGH. 179

time; but Mr. Prynn writes, it was not till the 14th of Edward II. It is a county of itself, and the writs are directed to the sheriff; and, in the 38th of Henry VI. the election was by 25 burgesses of the borough, named in the indenture.

There are about twelve hundred voters; and the right of election is in the burgesses and freemen.

References to the JOURNALS,

Year.	Vol.	Year.	Vol.	Year.	Vol.
1678	9	1720	19	1757	27
1695	11	1723	20	1766	30
1700	13	1731	22	1774	35
1716	18	1738	23		

KNARESBOROUGH.

THIS borough is situate in the county of York, and was first summoned to send members to parliament in the first year of Queen Mary, from which time it has returned representatives.

There are about fifty voters; and the right of election is agreed to be in the burgage-holders.

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References

MUSEVM
BRITANNICVM

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1641	2	1713	17	1744	24
1642	2	1714	17	1746	25
1645	4	1715	18	1748	25
1688	10	1720	19	1758	28
1689-90	10	1726	20	1763	29
1692	10	1737	22	1765	30
1711	17				

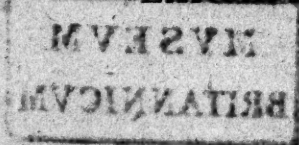
LANCASHIRE.

THIS county is in the northern part of the kingdom, and returned knights of the shire to parliament 22 Edward I. In the 34th of Edward III. the writ of summons, dated the 20th of November, for a parliament to be holden at Westminster, on Sunday before the Conversion of St. Paul, was directed to Henry, Duke of Lancaster, or his deputy, who made the return.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1702	14	1762	29
1664	8	1704	14	1772	33
1678	9	1722	20	1776	35
1693	11	1736	22	1780	37
1700	13	1749	25		

LANCASTER



LANCASTER TOWN.

THIS is the capital or shire-town of its county. It was made a borough by Henry II. confirmed by John, Earl of Moreton and Lancaster, and returned members to parliament in the 26th of Edward I. and ten times after, between that time and the end of 23 Edward III. after which it ceased until King Edward VI.'s time, when it was restored. The reason given by the sheriff for not summoning it, appears in his returns for the county. The manner of its restoration does not appear; nor are there many memoirs relating to the elections, or representatives, in that respect.

There are about one thousand voters; and the right of election is in the freemen and inhabitants.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1696	11	1745	24
1669	9	1716	18	1758	28
1685	9	1727	20	1774	34
1689	10				

L A U N C E S T O N .

THIS borough is situate within the county of Cornwall, and was made a borough by Richard, brother of Henry III. who was created by that king Earl of Cornwall, in the 15th year of his reign. Its present government is by a mayor, recorder, and eight aldermen, established by Queen Mary, 1555. It returned burgesses to parliament the 26th of Edward I. and has so done till this time.—The right of election is in the mayor, aldermen, and freemen, being inhabitants at the time they were made free, and not receiving pay of the parish. The aldermen to be elected out of the legal freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1717	18	1734	22
1660	8	1721	19	1749	25
1680	9	1722	20	1757	27
1711	16	1723	20	1758	28
1711	17	1724	20	1763	29
1715	18	1726	20		

L E I C E S T E R S H I R E .

THIS county is in the inland part of this kingdom, and sent members to parliament from the first returns of Edward I.

References

LEICESTER TOWN. 183

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1620	1	1714	17	1737	23
1626	1	1714-15	18	1739	23
1679	9	1719	19	1762	29
1707	15	1722	20	1765	30
1708	16	1733	22	1774-5	35
1710	16				

LEICESTER TOWN.

THIS town is the capital or shire-town of the county, and was a borough in King John's time, and made a mayor-town in the year 1248. It has been represented in parliament from the 28th of Edward I. and the parliament has been held here several times.

There are about eleven hundred voters; and the right of election is agreed to be in the freemen not receiving alms, and in the inhabitants paying scot and lot: but persons living in the borough by certificate, not having gained a settlement, by renting 10l. per annum, or serving in an annual office, are not intitled (by paying scot and lot) to vote.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1661	8	1714	17	1737	22
1676	9	1718	19	1754-5	27
1690	10	1726	20	1765	30
1705	15	1727	21	1766	30
1711	17				

LEOMINSTER.

THIS borough is situated in the county of Hereford, and has sent members to parliament from the 26th of Edward I.—There are about four hundred voters; and the right of election is in the bailiffs, capital burgesses, and inhabitants paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1716	18	1734	22
1661	8	1717	18	1741	24
1689	10	1720	19	1759	28
1700-1	13	1722	20	1767	31
1708	16	1724-5	20	1768	31
1713-14	17	1727-8	21	1776	36
1715	18				

LESCARD.

THIS borough was made so by Richard, Duke of Cornwall, by charter, dated June 5, 1240, and sent burgesses to parliament from the 26th of Edward I. and has so continued to do ever since, as Doctor *Willis* writes; but Mr. *Prynne* gives the catalogue from the 25th of Edward I.—There are about one thousand voters; and the right of election is in the corporation and sworn free burgesses.

References

LESTWITHIEL. 185

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	5	1698	12	1732	21
1660	8	1707	15	1739-40	23
1661	8	1709	16	1751	26
1696	11	1722	20	1759	28

LESTWITHIEL.

THIS borough is situate in the county of Cornwall, and, according to Doctor *Willis*, returned burgesſies to parliament in the 30th of Edward I. and then ceaſed till the 4th of Edward II. but Mr. *Prynne* has taken no notice of it until the latter time, when, he writes, it firſt returned, and from thence it hath continued to return until this time.—The right of election is in the mayor and fix capital burgesſies, together with the ſeventeen aſſiſtants annually choſen, and who had a right to vote at the preceding election of a mayor.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	5	1710	16	1725	20
1660	8	1711	17	1726	20
1669	9	1712	17	1727	21
1698-9	12	1718	19	1730	21
1700-1	15	1720	19	1734	22
1705	15	1721	19	1754	27
1708	16	1722	20	1766	30
1709	16	1723	20	1776	36

LEWES.

L E W E S.

THIS borough is situated in the county of Suffex, and was part of the king's demesne, and hath returned burgessees to parliament from the 26th of Edward I.—There are about four hundred voters; and the right of election is in the inhabitants, being householders, paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1710	16	1735	22
1641	2	1712	17	1737	23
1658	7	1717	18	1741	24
1685	9	1719	19	1743	24
1702	14	1725	20	1763	29
1708	16	1734	22	1766	31

LINCOLNSHIRE.

THIS county hath been represented in parliament from the time of the first summons of knights of shires. Mr. Prynne gives his list of knights of it from the 26th of Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1664	8	1702	14	1739	23
1695	11	1723	20	1772	37

LINCOLN

LINCOLN CITY.

THIS is the capital or shire-town of the county, and had letters to send two citizens to the parliament in the 49th of Henry III. and was afterwards regularly represented until this time.—The right of election is in the citizens and freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1663	8	1695	11	1734	22
1675	9	1720	19	1761-2	29
1689	10	1728	21		

LITCHFIELD.

THIS became a city by the settling the bishop's seat here in the year 636. *Doctor Willis* writes, it was represented in parliament the 33d of Edward I. but *Mr. Prymme* writes, it was in the 4th of Edward II. and that it returned to three succeeding parliaments, and then ceased to the 20th of that King. After this it returned in the 1st, 14th, 27th, and 33d of Edward III. and from thence intermitted till the reign of King Edward VI. when it was restored, and he incorporated it.

The

The number of voters are about six hundred ; and in 1701 it was resolved, that the bailiff, magistrates, freeholders of forty shillings a year, and all that hold by burgage-tenure, have a right to vote ; also, that such freemen only of the city that are enrolled, and pay scot and lot, have a right to vote ; also, that such freemen of the Taylors Company as are enrolled in the old book of the Constitutions of the Taylors Company, have *not* a right to vote ; and also, that such freemen *only* of the Taylors Company as are enrolled in the new book of the Constitutions of the Taylors Company in the City, have a right to vote. And in 1718 it was resolved, that the right of election is in the bailiffs, magistrates, freeholders of forty shillings a year, all that hold by burgage-tenure, and in such freemen *only* as are enrolled, paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1641	2	1685	9	1727	21
1646	4	1698	12	1731	21
1660	8	1700-1	13	1753	26
1667	9	1717	18	1755	27
1677	9	1718	19	1761-2	29
1678	9	1722	20	1770	32
1680	9				

LIVERPOOL,

LIVERPOOL.

THIS is a well-known sea-port town and borough, in the county of Lancaster. Doctor *Willis* writes, it sent burgesses to parliament in the 23d and 35th of Edward I. but Mr. *Prynne* hath not observed it, either in his Catalogue of Names or Returns; nor do we meet with any account of its members till Edward the Sixth's time, when, according to Doctor *Willis*, it was restored; but Mr. *Carew* rather thinks the first return was at that time.

The number of voters are about twelve hundred; and the right of election is admitted to be in the mayor, bailiffs, and freemen not receiving alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1649	6	1700	13	1734	22
1670	9	1722	20	1755	27
1675	9	1723	20	1756	27
1676	9	1724	20	1765	30
1678	9	1727	21	1767	21
1694	11	1729	21	1774	34

LONDON.

L O N D O N.

THIS is the metropolis of Great-Britain; the mart of Europe, famous for its antiquity, trade, and opulency; was an ancient city long before the time of record, and enjoyed many and great privileges before the Conquest, and which the Conqueror immediately confirmed; or, rather, as Doctor Brady writes, covenanted to protect the citizens in the enjoyment thereof. It hath been represented in parliament from the 23d of Edward I. though Mr. Pryme hath not taken any notice of the returns until the 26th year of that reign, which he avers to be the first summons. This may be the first directed to the sheriffs; but it cannot be supposed that the general writ, in the 23d of Edward I. could be mistaken by the sheriffs of so great a city.

The right of election is in the livery, reckoned at about *seven thousand*.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1566	1	1692	10	1724	20
1641	2	1700	13	1742	24
1662	8	1707	15	1758	28
1689	10	1713	17	1770	33
1690	10	1722	20	1774	34

LUDLOW.

L U D L O W.

THIS borough is in the county of Salop, and was incorporated by King Edward IV. and in the 12th year of his reign first sent members to parliament.

In 1661, the right of election was determined to be *in all the resident common burgesses, as well as the twelve and twenty-five*. In 1690, the new charter, granted by the late King James, was declared *illegal and void*. In 1698, the *sons of burgesses, and those that marry the daughters of burgesses*, were admitted to have a right of being made burgesses; and that every person, having a right to be made a burgess, ought to demand his right by petition, signed by the petitioner, according to the bye-law made in the year 1663, and *not otherwise*.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1614	1	1695	11	1726	20
1661	8	1698	12	1743	24
1669	9	1701	13	1745	25
1685	9	1713	17	1748	25
1689	10	1715	18	1754	27
1690	10	1718	19	1770	33
1691	10	1720	19		

LUGGER-

LUGGERSHALL.

THIS borough is in Wiltshire. Doctor *Willis* writes, that it returned members to parliament in Edward the First's time; but Mr. *Prynne* writes, that the first return was in the 28th of that reign, though his Catalogue begins in the 7th of Edward II. in which reign it returned three times; as also to as many parliaments of Edward III. then ceased till the 2d of Richard II. after whose tenth year it ceased until the 9th of Henry V. from which time it has been constantly represented.

There are about seventy voters; and the right of election is in the freeholders or leaseholders of the said borough, determinable upon life or lives.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1685	9	1722-3	20
1641	2	1690	10	1724	20
1647	5	1694-5	11	1734	22
1660	8	1698	12	1753	26
1660	8	1705	15	1755	27
1669	9	1713	17	1768	32
1672	9	1715-16	18	1772	34
1680	9				

LYME

LYME REGIS.

THIS is a very ancient borough in the county of Dorset, being made one by King Edward I. The town was in latter days incorporated, and the corporation consists of a mayor and sixteen capital burgeses, two of which, with the mayor, are justices. It has returned burgeses to parliament ever since the 23d of Edward I. and the bailiffs made the returning-officers in the 35th year of that reign, as appears by the sheriff of Dorset's return of his writ.

There are about fifty voters; and the right of election, in 1689, was insisted to be *in the mayor, burgeses, and freeholders*; and, in 1727, it was alleged to be *in the mayor, capital burgeses, and freemen*.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1557	1	1708	16	1753	26
1605	1	1722	20	1757	27
1609	1	1723-4	20	1762	29
1660	8	1727	21	1772	33
1689	10	1728	21	1777	36
1701	13	1748	25		

O

Substance

Substance of the last Case of controverted Election.

The sitting members were, the Honourable Henry Fane, Esq. and David Robert Michel, Esq. and the petitioners, Henry Harford, Esq. and Lionel Darell, jun. Esq.

The committee met on the 7th of November, 1780; and the petition stated, that the returning officer had refused a great number of votes that had been tendered in their favour, notwithstanding they were *legal* ones; and had admitted many to poll for the sitting members, who had no right to vote.

The counsel for the petitioners insisted upon the following point, which, they contended, would give them the seats, viz.

That freeholders and freemen, resident in the borough, and they only, had a right to vote.

The sitting members contended, that the right of voting was in the freemen only, whether they were resident or not.

The numbers on the poll were,

For the sitting members 22

Fifteen of whom were said to be *non-residents*;

For the petitioners - 10

All of whom, it was said, were residents.

Twenty-

Twenty-seven freeholders tendered their votes for the petitioners, and were rejected by the returning officer.

The counsel for the petitioners observed, that Lyme was an ancient demesne of the crown; that it was represented in parliament before it was regularly incorporated by charter; and that therefore the constituents, who formerly sent members to parliament, were the freeholders or tenants of the crown.

A charter of 5th of Edward III. was produced, by which the king granted the town, with the liberties and customs thereof, to the men of Lyme, in fee-farm, at the rate of thirty-two marks yearly.

An *Inspeximus*, 1 Richard II. was produced, setting forth, that a petition having been presented to the king, and a complaint made by the inhabitants of Lyme, that the town had been injured, and the cobb destroyed by the sea, the jury found that they were unable to pay their fee-farm rents, and the tax of the tenth or fifteenth of their moveables.

Another charter, 11 Henry IV. a charter also of 10 Charles I. divers entries and records, were produced, to prove that courts-baron were there held as late as the year 1695, and that the

corporation held the lands of the town. Various instruments and entries, from the records of the borough, were then produced, to shew that *freeholders* formerly voted for members of parliament; and that it was necessary *that the electors should reside in the town.*

The counsel on the part of the sitting members said, it was the first time they ever heard it maintained *that resident freeholders* had a right of voting *in exclusion of non-residents*; and produced a great number of returns, some made by the mayor and burgeses; some by the mayor, burgeses, inhabitants of the town; some by the mayor and burgeses, for and in behalf of themselves and the inhabitants and commonalty of the said town; some by persons amongst whom were capital burgeses; some by the mayor only; some by the mayor and burgeses, *all freemen*, and one that bore the name of a person described as a *non-resident* freeman.

The committee determined, that the Hon. Mr. Fane and David Robert Michel, Esq. were duly elected.

LYMING-

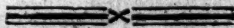
LYMINGTON.

THIS borough is situated in Hampshire, and is a mayor-town, but was never represented in Parliament until the 27th of queen Elizabeth, from which time to the present it has so continued.

The number of voters are about sixty; and in 1691 it was resolved, that the corporation of Lymington is a corporation *by prescription*, and that the mayor and burgessees only have a right to elect burgessees: and this resolution was confirmed, in 1695-6, and 1710.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1662	8	1698	12	1717	18
1677	9	1700	13	1722	20
1679	9	1705	15	1729	21
1680	9	1707	15	1741	24
1689-90	10	1710	16	1755	27
1691	10	1715	18	1769	32
1695	11				



M A I D S T O N E.

THIS borough is in the county of Kent, and was incorporated by king Edward VI. and made a mayor's town, and privileged to send members to parliament. It lost this right on account of Wyatt's rebellion, but regained it in the second of queen Elizabeth.

The number of voters are about seven hundred ; and in 1702 it was resolved that the right of election is in the freemen not receiving alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1552	1	1701	13	1723	20
1646	4	1702	14	1727	21
1660	8	1703	14	1739	23
1667	9	1704	14	1753	26
1685	9	1710	16	1757	28
1695	11	1716	18	1777	36

M A L D E N.

THIS borough is situated in the county of Essex. It first sent members to parliament in the 2d of Edward III. and was incorporated in 1554, according to *Doctor Willis*, but *Mr. Prynne* dates its first return in the 7th of that king.—The election seems originally to have been in the burgesses.

The right of election is in *such freemen as do not receive alms*, and are entitled to freedom by birth, homage, or servitude ; and persons deriving their right of freedom from honorary freemen, and persons claiming their freedom by purchase, and exercising trades within the borough, have no right to vote.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1647	5	1699	13	1726	20
1648	5	1701	13	1739	23
1660	8	1711	16	1763	29
1676	9	1711	17	1774	34
1693	11	1715	18	1780	37
1698	12	1722-3	20		

MALMSBURY.

THIS is a borough situated in Wiltshire, and hath returned members to parliament from the 26th of Edward I. The members were elected in 1 and 2 Henry V. in the county court.

The right of election is in the alderman, and twelve capital burgesſes, thirteen only.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1620	1	1698-9	12	1719	19
1645	4	1700	13	1722	20
1661	8	1701	13	1728	21
1667	9	1702	14	1733	22
1673	9	1705	15	1737	22
1675	9	1708	16	1740	23
1685	9	1709	16	1751	26
1688	10	1713	17	1759	28
1690	10	1715	18	1761	29
1691	10	1717	18	1775	35
1696	11				

M A L T O N.

THIS borough is in the county of York. *Doctor Willis* writes, it returned to two parliaments, viz. in the 23d and 26th of Edward I. but *Mr. Prynne* takes notice only of the latter. It then ceased until the year 1640, when it was restored.

The number of voters are about one hundred ; and the right of election is in the *burgage-holders*.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1677	9	1731	21
1645	4	1685	9	1741	24
1658	7	1708	16	1743	24
1661	8	1709	16	1745	25
1672	9	1710	16	1762	29
1675	9	1715-6	18	1775	34
1676	9	1729	21		

M A R L B O R O U G H.

THIS borough is situated in Wiltshire, and returned members to parliament from the 26th of Edward I. who were elected in the county court in the 1st of Henry V. There are but twenty-one voters ; and the right of election is in the mayor, and select burgesses only.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1627	1	1698	12	1716	18
1645	4	1702	14	1722	20
1672	9	1705	15	1734	22
1680	9	1708	16	1736	22
1681	9	1710	16	1744	24
1688-9	10	1711	17	1752	26
1694	11	1715	18	1768	32
1695	11				

MARLOW.

THIS borough is situated in Buckinghamshire, and returned burgesſes to parliament, in the 28th, 33d, 34th, and 35th of Edward I. and in the 1st and 2d of Edward II. and then ceaſed ſending till the reign of king James I. when it was reſtored.

There are about two hundred and ſixteen voters ; and the right of election is in the inhabitants only who pay ſcot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1621	1	1688	10	1722	20
1624	1	1689-90	10	1729	21
1640	2	1708	16	1731-2	21
1641	2	1710	16	1744	24
1665	8	1713	17	1761-2	29
1680	9	1716-7	18	1768-9	32
1685	9				

SAINT

S A I N T M A W S.

THIS is a borough in the county of Cornwall, and returned members, for the first time, in the 5th of queen Elizabeth. There are thirty-one voters, and the right of election is in the mayor, and resident burgessees.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	5	1698	12	1734	22
1660	8	1699	13	1735	22
1662	8	1700	13	1753	26
1665	8	1701	13	1754	27
1685	9	1707	15	1757	27
1690	10	1710	16	1760	28
1695	11	1722-3	20	1770	32
1696	11	1725	20	1772	34
1696	11	1727	21		

M E R I O N E T H S H I R E.

THIS county is one of the twelve enabled to send one knight of the shire to parliament, by the statute of 27 Henry VIII.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	5	1672	9	1702	14
1747	5	1701	13	1774	34

S A I N T

SAINT MICHAEL.

THIS is an ancient borough of the county of Cornwall, and when it was so made does not appear. It was first summoned to send members to parliament in the reign of King Edward VI. and has continued so to do till this time.

There are about seventeen hundred voters; and the right of election is in the portreeve, and lords of the manor, who are capable of being portreeves, and the inhabitants of the said borough paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1695	11	1734-5	22
1640	2	1696	11	1741	24
1646	5	1696	11	1745	24
1660	8	1698	12	1745	25
1661	9	1699	13	1753	26
1665	9	1700	13	1754-5	27
1672	9	1701	13	1768-9	32
1680	9	1702	14	1779	37
1689	10	1705	15		
1690	10	1733	22		

MIDDLESEX.

THIS county is part of the dominion of the East Saxons, within which is contained the city of London, and has been represented

represented in parliament from the first general summons of the knights of the shire in the reign of King Edward I. In the 12th of Edward II. the sheriff returned two knights of the shire. Within this county being the city of Westminster, where the parliament was usually held; the knights had only their fees for attendance, and no allowance for their coming and going, as in other counties. In the second year of King Henry V. the Bishop of London complained that his tenants of Fulham were taxed towards the expences of the knights of the shire for this county, upon which a writ issued for discharging the said tenants, in case it should appear that they had not been formerly taxed.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1648	5	1722	20	1766	31
1680	9	1740	23	1768-9	32
1695	11	1742	24	1779	37
1708	16	1749	25		

M I D H U R S T.

THIS borough is in the county of Suffex, and hath sent members to parliament from the 4th year of Edward II. They were elected

MILBORNE PORT. 205

electd in the county court, in the second of Henry V.—There are about one hundred voters; and the right of election is in the burgage-holders.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1711	17	1754	26
1645	4	1715	18	1765	30
1661	8	1716	18	1770	32
1669	9	1721	19	1772	34
1669	9	1728	21	1774	35
1698	12	1735	22	1777	36
1708	16	1737	23		
1710	16	1744	24		

MILBORNE PORT.

THIS borough is in Somersetshire, and returned burgesses in the 26th, 28th, 33d, and 35th of Edward I. and then ceased until the reign of Charles I. when it was restored.

The right of election is only in the capital bailiffs and their deputies, in the commonalty, stewards, and the inhabitants paying scot and lot.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1708	16	1747	25
1645	4	1709	16	1748	25
1658	7	1710	16	1755	27
1660	8	1717	18	1763	29
1661	8	1727	21	1770	32
1676	9	1728	21	1772	33
1701	13	1735	22	1774	35
1702	14	1735	22	1780	37
1705	15	1741	24		

Substance of the last Case of controverted Election.

The sitting members were, *J. H. Medlycott, Esq.* and *John Townson, Esq.* and the Hon. *Temple Luttrell* was the petitioner.

The petition set forth, that the sitting members had been guilty of bribery and corruption, both *before* and *at* the election; and that the returning officer had rejected many voters who offered to poll for the petitioners, and who had a legal right; and had admitted others in behalf of the sitting members, who had no right to poll; and had also struck off some who had been admitted on the petitioner's poll, in order to leave a majority to return the sitting members.

The poll signed by both the returning officers was put in, by which it appeared, that the numbers were,

For

For Mr. Medlycott	62
Townson	56
Luttrell	44
Hunter	36

But the counsel for the petitioner informed the committee, that there was another poll, taken by *Peckham*, one of the two returning officers, which differed from the above, and appeared as follows :

For Mr. Medlycott	62
Townson	56
Luttrell	46
Hunter	38

The last resolution was read, determining the right of election to be in the commonalty, stewards, and the inhabitants paying scot and lot.

The counsel for the petitioners said they should strike off *two* votes of persons who had been bribed by the sitting members, and prove such acts of bribery as would be sufficient to vacate their seats, although *it would not affect* the votes.

They proposed, also, to disqualify *eleven* upon the score of occasionality ; to set on *six* in favour of the petitioner, who were rejected by the returning officer, as not paying scot and lot ; and, lastly,

lastly, to object to *eleven* who voted for the sitting members, and who were disabled by the corrupt bargain made between Mr. *Medlycott* and a Mr. *Loyd*.

It has been stated, that the right of voting is, amongst others, in the capital bailiffs and their two deputies. There are *nine* bailiwicks in Milborne Port, and there is a bailiff appointed for each. Mr. *Medlycott* had long been in possession of four of these bailiwicks, and the remaining five have belonged to the family of *Walters*. In the month of February, 1779, *Loyd* appeared in Milborne Port as the friend and agent of Lord North. A meeting was held about that time between *Medlycott*, *Loyd*, and two or three other persons, at the house of one *Daniel*, at Yeovil, where *Medlycott* entered into a contract to sell the borough, and to desert his old friend *Luttrell*. A writing was drawn up, partly by *Loyd*, and partly by one *Hyde*, and signed by *Medlycott*, purporting to be "the memorandum of an agreement to defray the expence of procuring a seat in parliament for any friend of Lord North, whom his lordship or *Loyd* should recommend." To this end, *Loyd* agreed to deposit 1500*l.* in the hands of *Daniel*, which was to be employed
in

in purchasing *Walters'* interest, for the use, and at the risque, of Medlycott; and Medlycott stipulated to pay Loyd five per cent. for the money so advanced, until such time as Lord North's friend should be seated peaceably fourteen days in parliament. Some time afterwards, Daniel waited upon Lord North, and was introduced by Loyd. The paper containing this agreement was put into his Lordship's hands, who kept it for a few minutes, and then returned it, without saying any thing. Upon the faith of this instrument, *Walters'* property in the voters was transferred; the five capital bailiffs were nominated in the month of march following, and consigned to *Medlycott's* interest, thus purchased by Loyd. Medlycott wrote to Luttrell on the subject, acknowledged this foul transaction, and urged the wretched excuse, "*that his poverty, and not his will, consented.*"

The counsel for the petitioner then said, they would give evidence of the bribery, and several offers made, and also of the *treats* given, to influence the voters.

The counsel for the sitting members contended, that there was not any allegation in the petition, that the sitting members, by themselves or agents, were guilty of *treating*; but the com-

P

mittee

mittee resolved, that the counsel should proceed to prove the agency by the means of treating.

A great number of witnesses were then called to prove the bribery ; after which, the counsel for the petitioner proceeded to prove, that several persons had voted for the sitting members who were not inhabitants paying scot and lot ; that several persons who had *legal* votes, tendered them for the petitioner, and were rejected ; and that a corrupt agreement had been made between Mr. *Medlycott* and *Loyd*.

The committee determined, that *Thomas Hutchins Medlycott, Esq.* and *John Townson, Esq.* were duly elected.

MINEHEAD.

THIS borough is situated in the western part of the county of Somerset, is an ancient borough, and was incorporated by letters patent in the first year of the reign of Queen Elizabeth.

The number of electors are about one hundred and sixty ; and the right of election is in the parishioners of Minehead and Dunster, being housekeepers in the borough of Minehead, and not receiving alms. The precept is directed to the two constables, and they make the return.

References

MONMOUTH TOWN. 211

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1620	1	1698	12	1732	21
1640	2	1715	18	1737	22
1642	2	1717	18	1738	23
1645	4	1721	19	1741	24
1658	7	1722	20	1754	27
1665	8	1723	20	1761	29
1672	9	1727-8	21	1774	35
1690	10				

MONMOUTHSHIRE.

THIS county, part of the Marches of Wales, was enabled, by the statute of the 27th of Henry VIII. c. 26. to send members to parliament, and from that time has continued so to do.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1679	9	1731	21
1641	2	1685	9	1734	22
1646	4	1705	15	1739	23
1654	7	1711	17	1763	29
1656	7	1713	17	1765	30
1667	9	1719	19	1772	33

MONMOUTH TOWN.

THIS is the shire-town of the county, enabled, with its contributory boroughs, Usk and Newport, to send one representative to parliament, by statute 27 Henry VIII. c. 26.

212 MONTGOMERY TOWN.

There are about eight hundred voters; and the right of election does not belong to the burgeses and inhabitants of Monmouth only, but to the inhabitants of the borough of Newport, and Aske or Usk, likewise.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1623	4 1	1676	9	1715	18
1643	3	1680	9	1720	19
1644	3	1685	9	1744	24
1646	4	1688	10	1767	31

MONTGOMERYSHIRE.

THIS is one of the twelve Welsh counties enabled to send a representative to parliament by the statute 27 Henry VIII. from which time it has returned one knight to parliament.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1718	19	1741	24
1660	8	1728	21	1772	33
1702	14	1740	23		

MONTGOMERY TOWN.

THIS is the shire-town of the county of this name, and formerly, with its coadjutor boroughs, Llandidloes, Peole, and Llanvyllin, elected one burgesis, by virtue of the

M O R P E T H. 213

the statute of the 27th of Henry VIII. c. 26, but it hath lately been determined that the right of election is in the town only.—The number of voters are about eighty.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	168c-1	9	1727-8	21
1660	8	1685	9	1748	25
1661	8	1691	10	1759	28
1665	8	1705	15	1772	33
1678-9	9	1715	18	1777	36

M O R P E T H.

THIS borough is in the county of Northumberland, and was first represented in parliament in 1553.

There are about two hundred voters, and the right of election is in the bailiffs and free burgesses of the borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1620	1	1713	17	1768-9	32
1660	8	1715-6	18	1774-5	35
1666	8	1717	18	1776	36
1692	10	1727	21	1777	36
1695	11	1738	23		
1701	13	1755	27		

Substance of the last Case of controverted Election.

On Tuesday the 6th of December, 1774, two petitions had been presented to the house; one, from *Mr. Byron*, setting forth, that, at

the last election, when Peter Delme, Esq. and Francis Eyre, Esq. Thomas Charles Bigge, Esq. and the petitioner, were candidates for the borough of Morpeth, Mr. Delme and the petitioner, at the conclusion of the poll, had a majority of legal votes, in the judgment of the two bailiffs who presided, and are the proper returning officers, and who accordingly declared them duly elected; but that they were afterwards compelled, by the violence and threats of a numerous and outrageous mob, to sign a return of Mr. Eyre, instead of the petitioner, together with Mr. Delme; praying therefore that the name of Mr. Eyre might be erased from the return, and the petitioner's inserted instead thereof, and to give him such other relief as the case required, and the house should think reasonable.

Another petition from a certain number of freemen was also presented, and praying, that such punishment might be inflicted on the offenders as to the house should seem meet.

They were ordered to be taken into consideration on Tuesday, the 24th of January, 1775.

On Monday, the 19th of December, a petition of Mr. Bigge was presented, setting forth, that a majority had been obtained for Mr. Delme, by the corrupt and illegal practices of Mr. Byron, and

and the partiality of the returning officers in rejecting the petitioner's votes, and that *he* ought to have been returned with Mr. Eyre.

Another petition was also presented from several aldermen and free burgesses of Morpeth, containing the like allegations, and praying that Eyre and Bigge should be declared duly elected.

They were ordered to be taken into consideration at the same time as the former ones, on the 24th of January; but on the 23d of December the order was discharged, and the two first petitions *only* were referred to the committee on the 24th of January.

And there appearing some doubt among the counsel, whether the sole question was, the freedom and the validity of the return of Mr. Eyre, or whether they might not go into the merits of the election, the committee were reminded by one of their members, that this had been already decided in the house, and they resolved, that the counsel must confine themselves solely to the return, and in the course of the evidence they would not suffer any question to be put that respected the merits.

The counsel for the petitioners was going to call one of the returning officers, to prove that they had been compelled by force to make a

false return ; but his evidence was objected to, as he had given it under his hand to be a *true* return.

It was proved by a number of witnesses, that, at the end of the poll, the majority was declared to be in favour of *Delme* and *Byron*, but that the returning officers were compelled to return Mr. Delme and Mr. Eyre : and it was also proved, that, on the morning of the election, before it began, Mr. Eyre made an inflammatory speech to the people ; that after the riot began, he having retired some time before, the returning officers sent him word, they would return whom he pleased, and that an answer being brought them, that they must return himself and Mr. Delme, they complied, and the riot ceased.

The counsel for the petitioners insisted, that the committee ought to make a *special* report against the persons concerned in the riots ; but they did not make any.

On Friday, the 27th of January, the committee resolved, that Francis Eyre, Esq. is *not* duly elected, and that the Hon. Wm. Byron, the petitioner, ought to have been returned ; and their determinations were ordered to be entered in the Journals of the house.

NEWARK.

NEWARK.

THIS borough is in Nottinghamshire, and is the most modern parliamentary borough in England, being so created and incorporated by King Charles the Second, in the 29th year of his reign, on account of its loyalty to Charles the First.

There are about eight hundred voters; and the right of election is in the mayor, aldermen, and inhabitants within the borough, who pay, or ought to pay, scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1675	9	1700	13	1719	19
1676-7	9	1701	13	1724	20
1692	10	1710	16	1737	23
1693	11	1711	17	1750	26
1698	12	1715	18	1756	27
1699	13				

NEWCASTLE-UNDER-LINE.

THIS borough is in the county of Stafford, and was incorporated by King Charles II. but hath been represented in parliament from the 28th of Edward III. and hath continued to be so till this time.

The number of voters are about five hundred, and before the charter the right of election was in

218 NEWCASTLE-UPON-TYNE.

in the mayor, bailiffs, and common-council; and it was resolved, that the late constitution altered not the former custom. And in 1705, it was agreed to be in the mayor, burgesses, and free-men resident within the borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1624	1	1703	14	1740	23
1645	4	1704	14	1745	24
1675	9	1705	15	1762	29
1680	9	1708	16	1763	29
1685	9	1713	17	1768	32
1691	10	1715	18	1774	34
1699	13	1724	20	1779	35

NEWCASTLE-UPON-TYNE.

THIS borough is situated within the county of Northumberland, and sent burgesses to parliament from the 26th of Edward the First, but has often intermitted, and made no returns. There are about two thousand five hundred voters, and the right of election is in the corporation and free burgesses.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1673	9	1728-9	21
1645	4	1705	15	1741	24
1646	5	1715	18	1742	24
1647	5	1727	21	1777	36
1660	8				

NEWPORT,

NEWPORT, in Cornwall.

THIS borough is in Cornwall, and never sent members to parliament until the reign of Edward VI. from which time it has continued so to do.—There are about sixty-two voters; and the right of election is in the two vianders, with inhabitants paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1678	9	1739	23
1627-8	1	1690	10	1756	27
1646	5	1699-1700	13	1761	29
1647	5	1700-1	13	1763	29
1660	8	1706	15	1766	31
1661-2	8	1711	17	1770	32
1666	8	1722	20	1774	35
1677	9	1723	20		

NEWPORT, Hants.

THIS borough is in Hampshire and the Isle of Wight. Doctor Willis writes, that it returned burgesſes to parliament in the 23d of Edward I. but Mr. Prynne takes not any notice of it. It afterwards ceaſed until the 27th of Queen Elizabeth, when ſhe reſtored it.

There

There are twenty-four voters, namely, the mayor, eleven aldermen, and twelve burgesses.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1710	16	1735	22
1656	7	1712	17	1737	22
1689	10	1717	18	1749	25
1692	10	1721	19	1758	28
1695	11	1722	20	1762	29
1698	12	1725	20	1765	30
1698	12	1726	20	1773	34
1700-1	13	1729	21	1777	36
1706	15	1730	21	1780	37

NEWTON, in Lancashire.

THIS borough is in the county palatine of Lancaster, and never was represented in parliament until the reign of Queen Elizabeth, from which time it has so continued to be. There are sixty voters, who are the free burgesses.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1685	9	1711	16
1641	2	1690-1	10	1743	24
1645	4	1702	14		

NEWTOWN,

NEWTOWN, in Hampshire.

THIS borough is in the Isle of Wight, and never was represented in parliament until Queen Elizabeth's time.

There are twelve voters only, who are the mayor and burgesſes having borough lands within the ſaid borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1695	11	1728-9	21
1666	8	1710	16	1775	35
1676	9	1727	21		

NORFOLK.

THIS county is ſituated on the north-eaſt part of the kingdom, and hath been ſummoned from the 22d of Edward I. and continued ſo to be to this time.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1606	1	1647	5	1715	18
1614	1	1672	9	1726	21
1624	1	1675	9	1735-6	22
1625	1	1678-9	9	1764	29
1645	4	1709	16	1776	35

NORTH.

NORTHALLERTON.

THIS borough is situated in Yorkshire, and sent burgesses to parliament in the 26th of Edward I. but from that time until 1640 it never sent any. There are about one hundred and eighty voters, and the right of election is in the burgage-holders.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1702	14	1740	23
1660	8	1705	15	1745	24
1697	12	1733	22	1752	26

NORTHAMPTONSHIRE.

THIS is one of the midland counties, and hath returned members to parliament from the first summons of Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1675	9	1689	10	1747	25
1677	9	1710	13	1754	27
1677	9	1730	21	1756	28
1685	9	1736	22	1772	34

NORTH-

NORTHAMPTON TOWN.

THIS is the capital or shire-town of the county thus called, and hath returned members to parliament from the 26th of Edward I. There are between one thousand and eleven hundred voters, and the right of election is in the inhabitants, being householders, and not receiving alms, nor sharing in the charitable gift distributed at Christmas, which is deemed taking of alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1660	8	1700	13	1741	24
1661	2 8	1704	14	1744	24
1663	8	1710	16	1754	27
1663	8	1715	18	1759	28
1664	8	1722	20	1763	29
1678	9	1732	22	1768	9 32
1685	9	1734	22	1772	33

NORTHUMBERLAND.

THIS county is the bounds of England towards Scotland, whose armies have often invaded it. It had summons for knights of the shire in the 22d of Edward I. but Mr. Prynne, in his list, takes notice of its first return in the 26th of that king.

References

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1614	1	1701	13	1722-3-4	20
1641	2	1709	16	1737	22
1645	4	1710	16	1747-8	25
1676	9	1715-6-7	18	1757	28

NORWICH.

THIS city is the capital of the county of Norfolk, and became a city upon settling the episcopal palace and see here. It was incorporated by King John, and had a grant of mayor and sheriffs in 1403, but has returned members to parliament from the 26th of Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1694	11	1755	27
1645	4	1701	13	1756	27
1677	9	1705	15	1759	28
1678	9	1734	22		

NOTTINGHAMSHIRE.

THIS is one of the northern counties of this kingdom, and was included in the general summons of every county to send knights of the shire to parliament, 22 Edward I.

References

NOTTINGHAM TOWN. 225

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1691	10	1738	23
1661	8	1702	14	1762	29
1666	8	1703	14	1774	36
1672	9	1732	21	1778	37
1688	10				

NOTTINGHAM TOWN.

THIS is the shire-town, or principal town of the county of this name. The returns to parliament are extant from 26 Edward I.

There are eighteen hundred voters; and the right of election is agreed to be in the mayor, aldermen, and freeholders of 40s. per annum. It is also agreed, that the eldest sons of freemen by their birth, the youngest sons of freemen who had served seven years apprenticeship, whether in Nottingham or elsewhere, and also such persons as served apprenticeship to any freeman of Nottingham, were well entitled to demand their freedom.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1660	8	1706	15	1758	28
1695	11	1720	19	1778	37
1699	13	1747	25	1779	37
1700-1	13				

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OAKHAMPTON.

THIS borough is situated in the county of Devon, and returned members to parliament in the 28th of Edward I. and 7th of Edward II. after which it ceased till the last parliament of King Charles I. when it was restored.

There are about four hundred voters; and the right of election is in the freeholders and freemen, being made free according to the charter and bye-laws of the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1709	16	1756	27
1660	8	1710	16	1757	27
1670	9	1734	22	1759	28
1676	9	1744	24	1770	33
1693	11	1755	27	1778	36
1705	15				

O R F O R D.

THIS borough is situated in the county of Suffolk; and Doctor *Willis* writes, that it was summoned to send burgesses to parliament during all King Edward the First's time, from the time of the first general summons; but Mr. *Prynne's* List is only from the 26th of Edward I. and,

and Mr. *Hales* hath added, the 3rd of Edward I. After this it discontinued until Henry the Eighth's time, and has since been constantly summoned.

There are about one hundred voters; and the right of election is in the mayor, portmyn, capital burgeses, and freemen, not receiving alms or charity.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1696	11	1727	21	1749	25
1698	12	1728	21	1756	27
1699	13	1729	21	1757	27
1700-1	13	1734-5-6-22		1757	28
1702	14	1737	23	1759	28
1706	15	1742	24	1760	28
1708	16	1745	24	1774	34
1721	19	1745	25	1780	37
1722	20	1746	25		

OXFORDSHIRE.

THIS county is situated towards the mid-land part of the kingdom, and was formerly under one sheriff, with Berkshire. It was summoned most probably in the 22d of Edward I. and from that time hath returned members to parliament. In the return of 22d of Edward I. the sheriff returned two knights of

the shire, and two burgesses for Oxenford in the 28th of that reign, to this county the sheriff added the knights for Berks, though not directed by his writ; and in the 18th of Edward III. he returned for both counties in one indenture.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1658	7	1709	16	1742	24
1663	8	1713	18	1754	27
1664	8	1717	18	1762	29
1675	9	1721	19	1763	29
1699	13	1739	23	1779	37

OXFORD CITY.

THIS city, the capital of the county, hath returned burgesses to parliament from the 26th of Edward I.

There are about five hundred voters; and the right of election is in the corporation and freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1620	1	1710	16	1749	25
1640	2	1722	20	1750	26
1646	4	1738	23	1759	28
1654	7	1740	23	1770	33
1706	15				

OXFORD

OXFORD UNIVERSITY.

THE privilege of sending burgesses to parliament was granted to the university by King James I. in 1603. The right of election is in the doctors and actual masters, of whom there are about four hundred and fifty.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1703	14	1736	22
1646	4	1717	18	1745	23
1683	9	1722	20	1750	26
1700	13	1731	21	1762	29

PEMBROKE SHIRE.

THIS is one of the twelve Welsh counties, and was formerly a county palatine within Wales, and its earl was *Comes Palatinus*, and had *jura regalia*. Its jurisdiction was taken away by the statute of the 27th of Henry VIII. which enabled it to send one knight of the shire and two burgesses, one for Pembroke, and one for Haverfordwest. The proof of its palatinate will appear from the charter of Edward III.

230 PEMBROKE TOWN.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1624	1	1715	18	1746	25
1645	4	1727	21	1765	30
1656	7	1736	22	1768	32
1678	9	1741	24	1770	32
1700	13	1742	24		

PEMBROKE TOWN.

THIS is the shire-town for the county of this name, enabled to return members to parliament by the statute of 27 Henry VIII. It hath joined with it in this privilege the boroughs of Tenby and Wiston.

There are about five hundred voters ; and the right of election is in the mayor, aldermen, and burgesses of the several boroughs of Pembroke, Tenby, and Wiston.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1621	1	1710	16	1741	24
1675	9	1711	17	1742	24
1695	11	1715	18	1747	25
1708	16	1722	20		

PENRYN.

(231)

P E N R Y N

THIS borough, situate in the county of Cornwall, was an ancient borough, being so made by King Henry III. but never sent burgesses to parliament (as Doctor *Willis* writes) until the last year of King Edward VI. and King James I. incorporated it.

The number of voters are one hundred and forty; and the right of election is in the mayor, portreeve, aldermen, and inhabitants paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1672	9	1713-14	17	1755	27
1680	9	1717	18	1756	27
1685	9	1720	19	1758	28
1690	10	1734	22	1766	31
1698	12	1741	24	1770	32
1710	16	1742	24	1772	34

PETERBOROUGH.

THIS was made a city by Henry VIII. and as such obtained the privilege of sending members to parliament. The first return that appears was in the 1st of Edward VI.

There are about 400 voters; and the right of election in 1701 was agreed to be in the in-

habitants paying scot and lot; in 1728 the execution and return of the precept was resolved to be in the bailiff appointed by the dean and chapter; and the right of election to be in the inhabitants within the precincts of the minster there, being householders not receiving alms, and in the other inhabitants within the city paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1642	1	1685	9	1738	22
1660	8	1689	10	1742	24
1665	8	1700-1	13	1768	32
1666	8	1710	16	1774	34
1667	9	1727-8	21	1774-5	35
1679	9				

Substance of the last Case of controverted Election.

The sitting member was Matthew Wyldbore, Esq. and the petitioner, James Phipps, Esq. and the petition stated, that Mr. Wyldbore, the sitting member, had been guilty of bribery, and the returning officer of gross partiality, in rejecting legal votes offered for the petitioner, and admitting illegal ones for the sitting member.

The last determination of the right of election for Peterborough was read, resolving the election to

to be in the householders within the precincts of the minister, not receiving alms, and in other the inhabitants within the said city paying scot and lot.

The counsel for the petitioner abandoned the charge of bribery; so that the only inquiry before the committee was, whether Mr. Wyldbore, or Mr. Phipps, had the majority of legal votes.

The numbers on the poll were,

For Mr. Wyldbore 219

Mr. Phipps 212

Majority for Mr. Wyldbore 7

But the counsel for *Mr. Phipps* proposed to shew,

I. That certain persons had been admitted to vote for Mr. Wyldbore, who were not possessed of rateable property.

II. That persons, not *bona fide* housekeepers within the precincts of the minister, had been allowed to vote for the sitting member.

III. That certain persons had been admitted on the poll for the sitting member who were not housekeepers.

IV. That several persons possessed of rateable property,

property, and who had applied to be rated, and were refused by the parish-officers, had tendered their votes for the petitioner, and had been rejected, and that their votes ought to be allowed by the committee.

Before they entered on these particular heads, they began by producing evidence to shew partiality in the parish-officers, and fraud and irregularity in making the rate of the 16th of September, 1774, according to which the poll was taken; and partiality in the justices, on an appeal from the rate to the quarter-sessions for Peterborough.

The counsel for the sitting member contended, that there had been but one contested election for Peterborough since the last determination was made in 1768, and that, upon that occasion, *persons voted who were not housekeepers.*

After much argument, the committee resolved, "That the word *householders*, in the resolution of the house of commons of the 13th of May, 1728, relates to the inhabitants within the precincts of the minster *only*, and not to other the inhabitants within the said city paying *scot and lot.*"

The committee determined, that *Mr. Wyld-bore*, the sitting member, was duly elected.

PETERSFIELD.

PETERSFIELD.

THIS borough is within the county of Hants, or Southampton. Doctor Willis writes, it returned members to parliament in the 35th of Edward I. but Mr. Prynne has not noticed it; but Doctor Willis writes also, that it never returned after till Edward the Sixth's reign.

There are about one hundred and fifty voters; and the right of election is in the freeholders of lands, or ancient dwelling-houses, or shambles built upon ancient foundations, within the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1647	5	1715	18	1754	27
1669	9	1726-7	20	1756	27
1677	9	1734-5	22	1767	31
1688	10	1746	25	1774-5	35
1703	14	1754	26		

Substance of the last Case of controverted Election.

The sitting members were, Sir Abraham Hume, Bart. and William Jolliffe, Esq.; the petitioner, the Hon. John Luttrell.

The committee, on Thursday, the 16th of November, met to consider the merits of the case, when the petition of the Hon. Mr. Luttrell was read, setting forth, that Sir Abraham Hume, Bart. high-sheriff for the county of Hertford, William Jolliffe, Esq. and the petitioner, were

were candidates; and that the said *Sir Abraham Hume*, and *William Jolliffe, Esq.* had been guilty of divers acts of bribery, by money, meat, drink, reward, entertainment, and provision; and that *James Showell*, pretending to be the mayor of the said borough, had acted partially and unfairly.

The last determination of the right of election was then read, resolving it to be in the freeholders of lands, or ancient dwelling-houses, or shambles built upon ancient foundations, within the said borough.

The counsel for the petitioner said, they did not mean to litigate the right of election, and opened their case by acquainting the committee that they intended,

I. To object to *Sir Abraham Hume*, on account of his being high-sheriff for the county of Hertford.

II. To *both* the sitting members, on the ground of bribery, which makes an election void by the statute of King William.

The counsel for the sitting members insisted, that it was not competent to those on the other side to go into the question concerning the supposed ineligibility of *Sir Abraham Hume*, as sheriff of Hertfordshire; because there was no
express

express allegation or complaint on that subject in the petition.

They said, that the words "*high-sheriff for the county of Hertford*" appeared in the petition merely as an addition, or *descriptio personæ*; and, after some debate, the committee resolved, "that the counsel be not permitted to argue the point of the ineligibility of Sir Abraham Hume, as high-sheriff of the county of Hertford, the same ineligibility not being an allegation in the petition."

The counsel for the petitioner then called three or four witnesses, to prove that gifts and promises had been made by Mr. *Jolliffe*, in the presence of the other sitting member. In their opening, they did not allege, that they could, on this ground, bring the majority of votes, against either of the sitting members, to be in favour of Mr. Luttrell. The object, therefore, of the evidence, was to make the election void as to one, or both.

In the course of this evidence, one *John Newman* was called to prove a declaration made to him by one *Brackstone*, a voter, about having got the promise of a house from Mr. *Jolliffe* for his vote.

On the part of the sitting members, this evidence was objected to. It was said, that, although
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the declaration (not upon oath) of a person who cannot be *obliged* to be a witness on the subject himself, is admissible in evidence *to affect such person*, yet it is not admissible *against a third party*.

The committee resolved, that the evidence offered could not be admitted in support of any charge against *Sir Abraham Hume*, or *Mr. Jolliffe*.

On Thursday, the 16th of November, being the same day on which the cause began, the committee, by their chairman informed the house that they had determined,

That the two sitting members were duly elected.

P L Y M O U T H.

THIS borough is situated in the county of Devon, and was formerly called Sutton, and returned burgesses to parliament from the 26th of Edward I. then intermitted to the 4th of Edward II. according to Mr. Prynne (Doctor Willis writes and gives the names of a return in the 33d of Edward I. After this it returned in the 7th of Edward II. and to a council in the 14th of Edward III. and then intermitted till the 20th of Henry VI. in whose 18th year it was incorporated.

There

There are about five hundred voters, and the right of election is in the mayor and commonalty. The word *commonalty* extends only to the freemen of the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1641	2	1709	16	1750	25
1660	8	1720	19	1755	27
1666	8	1724	20	1760	28
1676	9	1727	21	1762	29
1689	10	1731	21	1765	30
1689	10	1739	23	1772	33
1690	10	1740	23	1777	36
1701	13	1744	24	1780	37

PLYMPTON.

THIS borough, situate in the western part of the county of Devon, had its privileges confirmed by King Edward I. and *Doctor Willis* writes, that it sent burgesses to parliament in the 23d of Edward I. Mr. Prynne dates the first summons he has met with, in the 26th of Edward I.; though it is probable, *Doctor Willis* is well authorized for dating it in the 23d; that being the first time cities or boroughs were summoned; and he has made a list of the representatives from that time.

There

There are about two hundred voters ; and the right of election is in the mayor, bailiff, and freemen, and in the sons of freemen, who have a right to demand their freedom.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1700	13	1727	21
1645	4	1702	14	1734	22
1666	8	1705-6	15	1742	24
1676-8	9	1716	18	1761	29
1685	9	1718	19	1763	29
1688	10	1720	19	1775	35
1689-90	10	1724	20	1779	37
1692	10				

PONTEFRAC.

THIS borough is in the county of York ; and Doctor Willis writes it returned burgeses to parliament in the 23d and 26th of Edward I. ; but Mr. Pryne takes notice only of the 26th ;—after which it intermitted until the year 1621, when it was restored.

There are about one hundred and fifty voters ; and the right of election is in the persons having, within the said borough, a freehold of burgage-tenure, paying a burgage rent.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1622	1	1715	18	1765	30
1623-4	1	1728	21	1768-9	32
1646	4	1729	21	1770	32
1660	8	1748	25	1772	34
1695	11	1751	26	1774	34
1698	12	1763	29	1774-5	35
1699	13				

Substance of the Case of the last Controverted Election.

The fitting members were, Sir John Goodricke, Bart. and Charles Mellish, Esq. and the petitioners, the Honourable Charles James Fox, and James Hare, Esq.

On Wednesday the 1st of March, when the committee met, the two petitions were read, and it appeared, that the only question in the case, was concerning the right of election in the borough of Pontefract: whether a resolution of 1624, or one of 1770, was to be considered as the last determination in the House of Commons, within the meaning of the statute of George II.

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If the first was that determination, Mr. Fox and Mr. Hare had an unquestionable majority, and were duly elected; and *vice versa*.

The resolution of 1624 gave the right of election to the inhabitants (householders) resident there.

The resolution of 1770 agreed, that it lay in such persons as have an inheritance, or freehold of burgage-tenure within the said borough.

On Friday the 3d of March the committee determined,

That the two fitting members were duly elected.

P O O L E.

THIS borough is situated in the county of Dorset, and was made a county by Queen Elizabeth; having before sent burgesses to parliament, in the 36th and 42d of Edward III.—It first sent to a council in the 14th year; but intermitted until the 33d of Henry VI.

There

There are about one hundred voters ; and in the year 1661, the right of election was agreed to be in the out-burgeses as well as in the burgeses ; and in 1688, the committee resolved, that it lay in the mayor, burgeses, and commonalty who pay scot and lot ; but the House would not agree to this.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1688	10	1765	30
1661	8	1695	11	1768-9	30
1670	9	1710	16	1774-5	35
1672	9	1756	27		

Substance of the last Case of Controverted Election.

The sitting members were, Sir Eyre Coote, K. B. and Joshua Mauger, Esq. and the petitioners were, the Honourable Charles James Fox, and John Williams, Esq. and several inhabitants and householders, paying scot and lot.

On Saturday the 25th of March, the committee being met, the two petitions

were read ; by which it appeared, that the only question in the case was,

Whether the right of election "*lay in the burgesſes of the borough, excluſively ; or,*

" *In the inhabitants and houſeholders within the borough, paying ſcot and bearing ſcot.*"

The ſheriff had rejected thoſe who tendered their votes as inhabitants, houſeholders ; and only admitted the votes of burgesſes.

It was admitted by the counſel on both ſides, that a great majority of the latter were in favour of the fitting members ; and that, if the former have a right to vote, there was a great majority for Mr. Fox and Mr. Williams.

After the petitions had been read, the chairman, according to the uſual form, directed the clerk to read the laſt determination in the Houſe, of the right of election.

The counſel for the petitioners denied, that there is in the journals any reſolution of the Houſe, touching the right of election

election in this borough ; which can be considered as a determination within the meaning of the statute.

The counsel for the sitting members insisted, that such a determination is to be found in the entry in the journals of the proceedings with regard to this borough, of the 9th Feb. 1688.

The entry referred to proved, that it had been resolved, upon the petition of Sir Nathaniel Napper, that the right of election had been anciently in the mayor and burgesses only ; except a return in the 18th year of King James I. wherein the commonalty are mentioned, with the mayor, aldermen, and burgesses, in the indenture ; but *that* indenture is sealed with the *common seal* of the mayor, aldermen, and burgesses. But the House did not agree to this.

The counsel for the petitioners argued, that this disagreement of the House from the committee, could never be considered as a determination within the meaning of the statute of George II. because the consequence of such a determination being

to shut the door against all future inquiry, and to conclude all persons concerned, with regard to one of the most valuable rights known in the constitution of this country, it ought to be *positive* and *explicit*. All that could be inferred from the disagreement of the House is, that they did not think that the conclusion drawn by the committee, was warranted by the evidence which they appeared, by their report, to have had before them; and, therefore, did not adopt that conclusion.

It was argued on the other side, that this was certainly a determination or judgment of the House, upon the right of election; for that Sir Nathaniel Napper could not have been adjudged to be duly elected, but upon the foundation of the right being in the mayor and burgesses, exclusive of the other claimants.

The committee, after deliberating about a couple of hours, resolved, that the counsel should proceed to give evidence of the right of election.

The counsel for the petitioners then endeavoured to prove the right to be as stated
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in the petitions, from general principles of law, and from the history, constitution, and ancient usage of the borough; alledging, that in boroughs where there is no original charter, and no *prescriptive* usage limiting the right of election, *it is in the inhabitants—householders.*

The counsel for the sitting members contended, that if *inhabitants* did vote in 1695, as there was no contest, and therefore no inquiry into their titles, it could not prove their voting was allowed to be good on that occasion; and stated, that all their returns were sealed with the common seal, and that a common seal never belonged to *inhabitants* at large; that they had never attempted to poll in 1688, when the House disallowed their claim.

On Wednesday the 29th of March, the committee determined,

That the two sitting members were duly elected.

PORTSMOUTH.

THIS borough is within the county of Hants, or Southampton; it

was one of those, as Doctor Willis writes, originally in the 23d of Edward I. summoned to return burgesses to Parliament. Mr. Prynne has set down the first writ in the 26th of Edward I. There are no accounts thereof until the 29th of Henry the VIth.

The right of election is in the mayor, aldermen, and burgesses.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1606	1	1701	13	1743	24
1645	4	1708	16	1744	24
1648	6	1709	16	1745	25
1678	9	1710	16	1747	25
1678	9	1715	18	1757	27
1680	9	1717	18	1766	31
1689	10	1740	23	1774	35
1695	11	1741	24	1778	37

P R E S T O N .

THIS borough is situate within the county palatine of Lancaster. It was first made a borough by King Henry

II.

II. and had new liberties granted by King John; when Earl of Weston and Lancaster, which were confirmed in the reigns of King Henry III. and King Edward III. It was as such originally summoned to send members to parliament, and made six returns only, after which it was omitted, for the reasons given in the return for the country; but was restored by King Edward VI.

There are about six hundred voters; and the right of election is in all the inhabitants. *All the inhabitants*, does not only mean the *in-burgessees* of the last guild, or those admitted since by copy of court roll, as are inhabitants of the said place, but all the inhabitants at large.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1642	2	1690	10	1722-3	20
1645	4	1695	11	1726	20
1660	8	1706	15	1767	31
1661	8	1710	16	1768	32
1679	9	1711	17		

QUEEN.

QUEENBOROUGH.

THIS borough is situated within the county of Kent, and was first represented in parliament in the 13th of Queen Elizabeth, and afterwards incorporated by King Charles I.

There are seventy voters, and the right of election is in the mayor, jurats, and bailiffs only.

References to the Journals.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1680	9	1727	21
1645	4	1696	11	1728-9	21
1648	5	1710	16	1734	22
1677	9	1713	17	1766	31
1679	9	1722	20		

RADNOR COUNTY.

THIS is one of the twelve Welsh counties, and returns one Knight to parliament, in virtue of the statute of 27th Henry VIII.

RADNOR TOWN. 231

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	5	1722-3	20	1755	27
1676	9	1736	22	1777	36
1678	9	1741, 42, }	24	1780	37
1715	18	43, 44, }			

RADNOR TOWN.

THIS borough is the shire town of this county, and as such entitled to send one burges to parliament, in conjunction with the boroughs of Knighton, Kevenllys, Knucklas, and Rharder.

There are about six hundred voters; and the right is in the burgeses of Radnor, Knucklas, Rharder, Knighton, and Kevenllys only.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	5	1715-6-7	18	1741	24
1661	1	1727	20	1761	29
1678-9	9	1728	21	1768	32
1688-9	10	1734	22	1774-5	33
1690	10	1735	22	1779	37

Sub-

Substance of the Case of last Controverted Election.

The petitioners were, Edward Lewis, Esq; and several burgesses of the borough, and its contributory boroughs; and John Lewis, Esq; was the sitting member.

On Saturday the 18th February, the committee being met, the two petitions were read, both containing a general allegation; that *Edward Lewis, Esq;* the petitioner, had a great majority of legal votes, and was duly elected.

The last determination of the House, of 1690, was then read, which resolved the right of election to be in the *burgesses* of Radnor, Ryador, Knighton, Knucklas, and Keventillys only.

The only question in this case was upon the last determination.

The counsel for the petitioners insisted, that by the word "*burgesses*," is meant *all burgesses*, whether resident or non-resident; and that by the standing order of 1735, the counsel for the sitting mem-

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ber were not at liberty to go into any proof of the contrary.

The counsel on the other side contended, that by the standing order, the House could never intend to prohibit the explanation of ambiguous or equivocal words, in last determinations; and said, that they only proposed to explain the word "*burgesses*" in the determinations, and to show, that the House must have understood by it, in this instance, not "*burgesses at large*," but "*burgesses inhabitants*."

The committee were of opinion, they were not precluded from such explanation, by the standing order of 1735; and as the averment lay on the sitting member, it was agreed at the bar, and consented to by the committee, that he should be considered as *actor* in the cause, and that his counsel should begin.

The counsel for the sitting member stated, that by the statute of 27th Henry VIII. chapter 28, the counties and boroughs of Wales were first authorized to send members to parliament, and that
the

the third section of the statute of the 35th of the same King, chap. 11, is in these words:

Forasmuch as the inhabitants of all cities and boroughs in the twelve shires within Wales, and the county of Monmouth, not finding burgeses for the parliament themselves, must bear and pay the burgeses wages within the shire towns of, and in every the said twelve shires in Wales, and in the said county of Monmouth, (be it enacted) that the burgeses of all and every of the said cities, boroughs and towns, which be, and shall be contributory to the payment of the burgeses wages of the said shire towns, shall be lawfully administered, by proclamation or otherwise, by the mayors, bailiffs, or other head officers of the said town, or by one of them, to come and to give their elections for the electing of the said burgeses, at such time and place, lawful and reasonable, as shall be assigned; in which election, the burgeses shall have like voice and authority to elect, name, and choose the burgeses of every the said shire

shire town, like and in such manner as the *burgesses* of the said shire towns, have, or use." And the counsel contended, that by the charter of New Radnor, none can be *burgesses* in that place, but *inhabitants*, therefore none but *inhabitants* can vote. Evidence was likewise offered to show, that, of late years, great numbers of out-burgesses had been made in the small contributory boroughs, sufficient to drown entirely the votes of the electors for shire town.

The counsel for the petitioner contended, that the resolution of *burgess* was so clear as not to require explanation. *Burgesses*, they argued, was a general term, and as applicable to an out-burgess, as to one who was resident in the borough; and that when the word "*burgess*" is used, unqualified by any restraining epithet, it means "*burgesses at large*." In support of this they adduced a variety of cases. They observed, that in other Welsh boroughs, the right of election had been determined to be in the *burgesses*.

gesse, generally, notwithstanding any thing contained in the Statutes of Henry VIII.

On Monday the 20th February, the committee determined, that *Edward Lewis, Esq.* the petitioner, was duly elected, and ought to have been returned.

READING.

THIS borough is situate in the county of Berks. *Doctor Willis* writes, from the *Doomsday Book*, "that at the time of the Norman survey, it was rated at 48l. though in King Edward's time at 40l. when it defended itself for 43 hides; and was then, and in King William's time, held as demefne land, who had in the borough of *Redinges*, in the hundred of the *Redinges*, twenty-eight *hages*, or *hauses*." *Mr. Brady* writes, it was an ancient demefne, but no borough, which seems to disagree with the entry in *Doomsday Book*. It is now a corporation; consisting of a mayor, twelve aldermen, and twelve burgesse, with other officers. In the

the 25th of Henry III. a parliament was held here, and in the 41st of the same reign a council; and also in the 31st Henry VI. another parliament was held here. It was summoned to send representatives to parliament 23d Edward I. and has ever since continued so to do.

There are about five hundred and sixty voters. In the year 1708, the right of election was declared to be in the *freemen and inhabitants*; such freemen not receiving alms, and such inhabitants, paying *scot and lot*; and in 1708 it was determined to be in the *inhabitants only paying scot and lot*.

References to the JOURNALS:

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1700	13	1719	19
1645	4	1705	15	1722	20
1685	9	1708	16	1735	22
1693	11	1713-4	17	1739	23
1698	12	1715-6	18	1754-5	27
1699	13	1717	18	1768	32

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EAST

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EAST RETFORD.

THIS borough is situated within the county of Nottingham; and was first summoned to parliament in the 9th of Edward II. but never returned after, until the 13th of Queen Elizabeth; when it became again summoned, though its right was questioned. There are about one hundred and fifty voters.

In 1761, the younger sons of freemen were not allowed to have a right to demand their freedom; and the right of election was adjudged to be in the *burgesses, resident and non-resident*. In 1702 it was resolved, that persons not inhabiting in the borough, were incapable of being made free by redemption; and that the sons of freemen have a right of freedom. In 1705, the right of election was declared to be in such freemen only as have a right to their freedom by birth, as eldest sons of freemen; or by serving seven years apprenticeship; or have it by redemption, whether inhabiting or not inhabiting in the borough, at the time of their being made free. And in

1710,

1710, it was determined to be in such freemen only as have a right to their freedom by birth, as eldest sons of freemen; or by serving seven years apprenticeship; or have it by redemption, inhabiting in the said borough at the time of their being made free.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1624	1	1702	14	1717	18
1645	4	1705	15	1758	28
1670	9	1708	16	1766	31
1690	10	1710	16	1778	36
1700	13	1713	17		

RICHMOND.

THIS borough is in the county of York, and was made a borough very early, as appears by a charter of John, eldest son of the Duke of Britain, and Lord thereof, without date, wherein he grants to the burgesses, the burgh, with the rents of affize, &c. which charter was confirmed by Edward III. Queen Elizabeth afterwards incorporated it, in the 19th year of her reign,

and in her 27th year called upon it to send burgesses to parliament.

There are about two hundred and seventy voters; and the right of election is in such persons only as are owners of ancient burgages in the said borough, having a right of pasture in a common field called Whitcliff field.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1716	18	1757	28
1661	8	1719	19	1763	29
1705	15	1727	21	1774	35
1715	17	1730	21	1775	35

THIS borough is situated in the county of York; Dr. Wallis writes, that it returned members to parliament in the 23d of Edward I. and in the 1st of Edward II. Mr. Frynne takes notice of it in the 1st of Edward II. but adds, it had a precept in the 2d of Edward III. which was returned by the

the sheriff, after which no return appears until the last year of Edward VI. or first of Queen Mary.

There are about two hundred voters, and the right of election is in the inhabitants.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1691	10	1737	23
1646	5	1713	17	1775	35
1660	8	1717	18		
1672	9	1720	19		

ROCHESTER.

THIS is a city in the county of Kent, and as such, sent citizens to parliament in the 26th of Edward I. and it was afterwards made a mayor town in the 1st of Edward IV. The manner of election first appears in a return for the county, in the 12th of Henry II. wherein it is inserted, that the citizens were chosen at a county court; but in the 17th of Edward IV. in the indenture it appears "*Quod major*

"civitatis assensus, uno cum omnibus
 "singulis civibus & communiariis ejusdem
 "civitatis, elegerunt, &c."

There are about eight hundred voters,
 and the right of election is in the citizens.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1620	1	1709	16	1750	26
1667	9	1717	18	1754	26
1680	9	1720	20	1757	27
1699	10	1723	20	1765	30
1701	13	1742	24	1772	34
1707	15	1746	25		

ROMNEY.

THIS is one of the original Cinque
 Ports. For its right of sending re-
 presentatives to parliament, see Dover,
 Hastings, Hythe, and Sandwich.

There are about thirty two voters; and
 the right of election is in the mayor, jurats,
 and freemen.

Ref.

RUTLANDSHIRE. 263

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640-1	2	1704	14	1735	22
1668	9	1707	15	1735	27
1685	9	1710	16	1756	27
1690	10	1713	17	1779	32
1695	11	1727	21		
1696	11	1734	22		

RUTLANDSHIRE.

THIS is the smallest county in England. It was, as *Dr. Heylin* writes, taken out of *Northamptonshire*, and has returned members to parliament from the 22d of Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1715	18	1727	21
1680	9	1718	19	1729	21
1604	11	1720	19	1753	20
1710	16	1725	20	1754	27

R Y E.

THIS is one of those ports called Cinque Ports, but it is rather a member thereof; though when it was added thereto does not appear. It has now the same privileges as the others. It is situated in the county of Suffex. The writs for election of members of parliament, are directed to the Constable of Dover, or Warden of the Cinque Ports. The first return to be met with of representatives, was in the 42d of Edward III.

There are about one hundred voters, and the right of election is in the mayor, jurats, and freemen, inhabitants in the said port, and paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1623	1	1698	12	1726	20
1640	2	1702	14	1741	24
1645	4	1705	6	1749	25
1654	7	1707	15	1762	29
1667	9	1708	16	1775	35
1688-9	10	1710	16	1777	36
1690	10	1713	17		
1693	11	1717	18		

R Y E.

R Y E G A T E.

THIS borough is within the county of Surry, and returned members to parliament in the 26th of Edward I. The right of election is in the freeholders, about two hundred in number.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1689	10	1720	19
1656	7	1695	11	1724	20
1672	9	1701	13	1738	23
1680	9	1707	15	1747	25
1688	10	1716	18	1756	27

S A L T A S H.

THIS borough, situated in the county of Cornwall, was made so by one of the ancient Lords of it, *Reginald de Valle Fortis*, in the time of King John. It was confirmed in its privileges by Richard II.; but did not send burgeses to parliament till Edward the Sixth's time; from which, to the present, it has continued so to do.

The

The right of election is in the mayor, recorder, six aldermen, and twenty freeholders.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1701	13	1743	24
1658	7	1702	14	1747	25
1678	9	1708	16	1751	26
1680	9	1710	16	1756	27
1691	10	1715-16	18	1763	29
1692	10	1718	19	1772	33
1697	12	1722	20	1774	35
1698	12	1733	22	1778	37
1700	13	1739	23	1780	37

SANDWICH

THIS town is situated within the county of Kent, and is one of the original Cinque Ports. It was first (as Mr. Teake apprehends) privileged by the name of the barons of the town and port of Sandwich, and afterwards incorporated by the name of the mayor, jurats, and commonalty of the town and port of Sandwich.

There

SARUM (NEW) or SALISBURY. 267

There are about seven hundred voters ; and the right of election is in the freemen, resident and non-resident, except those who receive alms.

References to the JOURNALS.

Year.	Vol.	Year	Vol.	Year.	Vol.
1620	1	1695	11	1720	19
1645	4	1700	13	1725	20
1685	9	1707	15	1756	27
1689-90	10	1713	17	1776	36

SARUM (NEW) or SALISBURY.

THIS city, situated in the county of Wilts, was made so by letters patent, dated 11 Henry III. which gave to the then Bishop and his canons, and to his and their successors, *tantum proprium dominicum*, and which were afterwards confirmed by charter, 34th of Edward I.

There are about fifty-six voters ; and the right of election is in the select number, that is, the mayor and corporation.

Refere-

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1700	13	1721	19
1645	4	1708	16	1753	26
1672	9	1713-14	17	1754	27
1688-9	10	1715	18	1765	29
1650	19				

SARUM (OLD.)

THIS borough is situated in the county of Wilts; and *Doctor Willis* writes, that it is reduced to *one house*, and that it was formerly a city, which is now translated to New Sarum, or Salisbury, about a mile distant. It returned members in the 23d of Edward I.; and then intermitted until the 34th of Edward III. since which time it has constantly returned. Its representatives were at first, with those of other boroughs, elected at the county court.

The number of voters are seven; and the right of election is in the freeholders, being burgage-holders of the said borough.

Refs.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1720	19	1745	25
1646	5	1723	20	1747	25
1658	7	1726	20	1751	26
1660	8	1727	21	1755	27
1669	9	1728	21	1759	28
1688	10	1734	22	1761	29
1705	15	1741	24	1763	29
1715	18				

SCARBOROUGH

THIS borough is in the county of York; and sent burgesses to parliament in the 26th of Edward I. and has so continued to do until this time. It's ancient method of election was by the bailiffs and commonalty.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1705	15	1735	22
1660	8	1707	15	1744	24
1685	9	1712	17	1766	31
1688	10	1717	18	1770	33
1692	10	1725	20	1772	34
1693	11	1729	21	1775	35
1695	11	1730	21	1779	37

SEAFORD

THIS is an ancient borough, and was originally a member of the port of Hastings, in the county of Sussex, having returned members to parliament in the 26th and 30th of Edward I. and 16th and 19th of Edward II. the 18th, 20th, and 21st of Richard II. and in the first of Henry IV. and then ceased. King Henry VIII. by his charter, in the 30th year of his reign, added it to the Cinque Ports; but it was not thereby restored to the privilege of sending representatives to parliament until 1640. In 1670 the right of election was declared to be not only in the bailiffs, jurors, and freemen, but in the popularity also.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1720	19	1744	24
1658	7	1721	19	1747	25
1670	9	1723	20	1755	27
1678	9	1723	22	1761	29
1706	15	1733	22	1765	30
1716	18	1738	23	1774	535

Substance

Substance of the Last Case of Controverted Election.

The Petitioners were *Stephen Sayer*, and *John Chetwood*, Esqrs. and the sitting members *Lord Kycount Gage*, and *George Medley*, Esq.

On Saturday the 18th Nov. the committee being met, the petition was read, setting forth, That many persons duly qualified, tendered their votes for the petitioners, but were rejected; by which means, on casting up the poll, there appeared a majority for the sitting members; whereas, if they had not been arbitrarily, partially, and illegally rejected, there would have been a great majority in favour of the petitioners.

The last determination of the right of election was then read, resolving that it lay not only in the *hailiff, jurors, and freemen*, but also in the *populacy*.

After this entry had been read, the counsel for the sitting members desired an explanatory resolution made by the House in 1761, should also be read. Those on the other side shewed some reluctance to consent

to the reading of this last-mentioned resolution, lest, after it should be read, the counsel for the sitting members should insist that it was the *last determination*, within the meaning of the statute, and thereby endeavour to preclude them from impeaching or contradicting it by evidence.

The committee resolved, that it should be read, together with the entry of all the proceedings on the occasion; but that its effect and operation should remain open to argument.

The account of these proceedings were then read from the journals, the result of which was, that the word "*populacy*" extended only to the inhabitants, housekeepers of the said town and port, paying scot and lot.

The counsel for the petitioners then opened the whole of their case, which consisted of two general points.

1. The first was, that the explanatory resolution of 1761, was inconsistent with the true sense of the determination of 1670, which was the *last determination* of the House, when the statute of 2 Geo. II. cap. 24. took place, and therefore final, to
all

all intents and purposes; and not to be overturned or altered by any resolution, subsequent to the statute.

2. The second, that, if the committee should think, agreeably to the resolution of 1761, that the electors distinguished by the word "*populacy*," in the resolution of 1760, must be *scot and lot men*, yet, to bring them within that description, it was not necessary that they should be actually rated to the poor.

The counsel for the sitting members objected to their being permitted to bring evidence to contradict the explanatory resolution of 1761, and this point was separately argued, and determined by a special resolution of the committee.

The counsel for the petitioners contended, that when a last determination is sufficiently clear, or admits of a construction consonant to general principles, and the common law of parliament, it would be highly dangerous to allow of explanatory resolutions contradictory to, or inconsistent with such construction. The certainty and security which the legislature meant

to provide by the statute of Geo. II. might be entirely evaded by such pretended explanations.

After deliberating for some time, the following question was put:

"That the committee do permit the counsel for the petitioners to produce evidence, to call in question the resolution of the House of Commons in 1761, touching the right of election for the town and port of Seaford; by which resolution the right of voting in the said town and port, as in the *populacy*, is declared to extend only to the inhabitants, housekeepers of the said town and port, paying scot and lot, there having been a previous resolution touching the right of election made in 1670."

And it was resolved in the negative.

On which the counsel being called in, the chairman acquainted them that the committee had resolved,

"That the counsel should not be permitted to call evidence to contradict the resolution of 1761."

2. The counsel for the petitioners proceeded to the second point, and contended

that

that it is not necessary that persons, in order to answer the description of scot and lot men, should actually be rated to, and pay, the poor-tax.

It appeared by the original poll, that the votes admitted by the returning officer were as follows; *viz.*

For Lord Gage - - - 29

For Mr. Medley - - - 27

For the petitioners - - - 1

But it was proved by John Cæsar, who had acted as check-clerk for Sayre and Chetwood, that 47 persons, a list of whom he produced, who tendered their votes for the petitioners, were rejected because their names did not appear on the last poor rate, according to which the returning officer took the poll. It appeared also, that three others tendered their votes, and were rejected, after Cæsar had left the place of polling.

The counsel for the sitting members urged, as the persons who were rejected at the poll because they were not rated, never took the legal course for redress, this would have been a bar to their claim before this commit-

tee, even if they could have shown that their circumstances entitled them to be upon the rate. Their witnesses proved, that, except three, none of them had any means of subsistence but their labour; so that if any accident were to deprive them of that resource, they and their families must come on the parish.

The counsel for the petitioners demed, in their reply, that any appeal could have been made to the country justices.

The committee determined, that the two sitting members were duly elected.

SHAFTESBURY.

THIS borough is in the county of Dorset, and has been represented in parliament since the 26th of Edward I.

The number of voters are about three hundred; and the right of election in 1805, was declared to be, *not only in the mayor and burgesses, but in the inhabitants paying scot and lot.*

for the sitting members, and for the legal votes of others, who had rendered

Ref.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645-46	4	1711	17	1734	22
1647	5	1713	17	1737-8	23
1667	9	1715	18	1742	24
1678	9	1716-17	18	1747	25
1685	9	1718	19	1774-5	35
1695	11	1722	20	1776	35
1698	12	1723	20	1776-7	36
1710	16	1726	20		

Substance of the last Case of Controversial Election.

The petitioner was *Hans Wintrop Martinier*, Esq. and the sitting members *Francis Sykes*, and *Thomas Rumbold*, Esq.

On Wednesday the 29th of March, the committee being met, the petition was read, setting forth, that the two sitting members, by themselves and their agents, had been guilty of many gross and notorious acts of bribery and corruption, whereby many of the voters were influenced to give their votes for them; and that the returning officer had admitted persons not duly qualified to vote, for the sitting members, and had rejected the legal votes of others, who had tendered them for the petitioner.

The last determination of the House was read, and is as follows :

29 February, 1695-6, Resolved, " That the right of election of burgesses to serve in parliament for the borough of Shaftesbury, in the county of Dorset, is only in the inhabitants of the said borough, paying scot and lot."

Then the standing order of the 16th of January, 1735-6, was read.

The numbers on the poll, as produced by the mayor, were,

For Sykes, - - - 284

For Rumbold - - - 248

For Mortimer, - - - 122

The two objects of the counsel for the petitioner, in this cause, were to prove.

1. That the sitting members, by themselves or their agents, had been guilty of bribery, so as not to be entitled to retain their seats.

2. That there were so many of the voters for the sitting members affected by bribery, or not *bona fide* inhabitants, or who had not paid scot and lot, that by striking them off the poll, a majority must remain

main in favour of the petitioner, and he be entitled to be declared duly elected.

The counsel for the sitting members, besides endeavouring to defeat the evidence produced on the two foregoing heads, attempted to show, that Mortimer had promised money, in order to procure himself to be elected, and that he was thereby incapable of sitting, even if he should make out a majority of good votes.

It is evident, from this short account of the general complexion of the cause, that, with regard to each candidate and agent, and each individual voter objected to, a distinct issue was joined, between the parties, viz. with regard to the candidates, "*guilty of bribery or not*;" with regard to the supposed agents, "*agent or not*;" and also, "*guilty of bribery, or not*;" and with regard to the voters, "*bribed or not*;" "*bona fide inhabitant, or not*;" "*paying scot and lot, or not*."

On each of these issues, the committee, in the capacity of a jury, were to find a verdict; and upon comparing the result of those verdicts, must have formed their ultimate determination.

In the course of the trial, (which, from

the time of the appointment of the committee, to that of their making their report to the House, lasted four weeks,) many points of evidence arose, and were argued by the counsel. Some of them were as follows:

Money, to the amount of several thousand pounds, had been given among the voters, in sums of twenty guineas a man. The persons who were entrusted with the disbursement of this money, and who were chiefly the magistrates of the town, fell upon a very singular and very absurd contrivance, in hopes of being able thereby to hide through what channel it was conveyed to the electors. A person, concealed under a ludicrous and fantastical disguise, and called by the name of Punch, was placed in a small apartment, and through a hole in the door, delivered out to the voters, parcels containing the twenty guineas; upon which they were conducted to another apartment in the same house, where they found a person called Punch's secretary, and signed notes for the value, but which were made payable to an imaginary character, to whom they had given the name of Glenbucket.

Two of the witnesses, called by the counsel for the petitioner, swore that they had seen Punch through the hole in the door, and that they knew him to be one Matthews, an alderman of Shaftesbury; and, as the counsel for the petitioner had endeavoured to prove, an agent for the sitting members.

The counsel for the sitting members proposed to call Matthews himself, to prove an *alibi*.

This was objected to, and the point being argued,

The committee resolved,

Not to admit the evidence.

On the part of the petitioner, witnesses were called to prove declarations of voters, who at the poll had taken the bribery oath, that they had received Punch's money.

This was objected to by the counsel on the other side. They said,

That this was not legal evidence, for that, if such declarations were proved, still they could not be considered as proving the receipt of the money. That it would be unjust, to suffer what a man had said in conversation, and without an oath, to invalidate what he had solemnly sworn.

The

The evidence was admitted.

The committee also determined, that, with regard to supposed agents, evidence should be first produced to establish the agency, before the bribery by such persons should be gone into.

The whole of the evidence may be seen in the report, as it was printed for the use of the House.

On Thursday the 13th of April, the House adjourned, on account of the Easter holidays, till Tuesday the 25th of the same month; but the committee continued sitting, according to the provisions of the act of parliament, till they agreed on their report, which they did on Thursday the 20th of April, the counsel having closed their evidence and arguments on the Saturday before.

On Tuesday the 25th of April, being the first day on which the House met after the holidays, the committee, by their chairman, informed the House, that they had determined,

“That the two sitting members were not duly elected;” and that *Hans Whitrop*

Mortimer,

Martimer, Esq. the petitioner, was duly elected; and ought to have been returned.

SHOREHAM.

THIS borough is situated in the county of Sussex, and has returned burgesses to parliament from the 23d of Edward I.

Their elections were first in county courts.

There are about seven hundred and fifty voters; and in 1771 it was resolved, that not only the mayor and burgesses, but the inhabitants paying scot and lot, have a right to vote.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1667	9	1710	16	1750	25
1672	9	1715	18	1758	28
1678	9	1720	19	1761	29
1700-1	13	1728	21	1765	30
1705	15	1740	23	1770-1	33
1708-9	16	1746	25	1774	35

Though we have made it an invariable rule hitherto, of doing nothing more than merely

merely referring the reader to every thing concerning the elections of the place we are giving an account of; yet the matter to be found in the reference of 1770-1 vol. 33. is of so extraordinary a nature, we could not but think a *sketch* of it here would be very acceptable.

" New writ in the room of Sir Samuel Cornish, Bart. deceased; petition of Thomas Rumbold, Esq. to be heard at bar; day appointed for hearing; notices to be sent to the parties; Mr. Speaker to issue his warrants for persons, papers, and records; petition read again; Roberts, the returning officer, ordered to attend; select committee appointed; report; resolved, 1st, That Mr. Rumbold, the petitioner, was duly elected; 2^d, that at the last election for this borough, eighty seven persons voted for Mr. Rumbold, thirty-seven for Mr. Purling, and four for Mr. James; that all who voted for Mr. Rumbold, except one, took the bribery oath, before they gave their votes; that Hugh Roberts, the returning officer, put queries to the names of seventy-six of the voters

voters for Mr. Hambold, at the time they gave their votes; and immediately on the close of the poll, declared Mr. Purling duly elected. 3d, That the conduct of the returning officer, in taking the poll, and making the return, was illegal. 4thly, That in this borough, a society has for many years subsisted, which has assumed the name of the *Christian Society*; that none but voters for representatives in parliament, were ever admitted into the society; and that a great majority of the voters were members; that the society had a constant clerk; that they held a regular monthly, and frequent occasional meetings; that when they met, a flag was hoisted to give notice of such meeting; that the members of the society, about three years ago, entered into articles for raising and distributing small sums of money, for charitable uses; but that these articles were designed only to cover the real intent of their institution; that the principal purpose of their meetings, was, for what they called *burgeßing business*; that they all took an oath of secrecy, and entered into a bond, under a penalty

penalty of five hundred pounds, to bring them all together with regard to *burgessing*, but that the condition of the bond does not precisely appear; that upon any vacancy in the representation of the borough, the society always appointed a committee to treat with the candidates for the purchase of the seat, and that the committee were constantly instructed to get the most money, and make the best bargain they could; that the society never appointed a committee for any other purpose; and that they had no standing committee; that on a false report of the death of Sir Samuel Cornish, in February last, the society was called together by the signal of the flag; that many of the members at that meeting, which was very numerous, declared they would support the highest bidder; that some, and among them Hugh Roberts, the returning officer, expressed themselves offended at such a declaration, and said, that they were afraid of the consequences, for the society was only a heap of bribery; and withdrew from the society; that one of those who withdrew, going about two months ago

at a meeting of the society, was treated with harsh expressions, and was told he came among them as a spy; that, however, the society continued to meet; that their meetings were frequent near the time of the election; that it was said, that a committee was appointed after the death of Sir Samuel Cornish; that none of the members said to be of that committee voted at the last election, though most of them were there on the day of election; that three days before the election, the society was reported to be dissolved, but that the members of it have since resumed their meetings; that after evidence of these facts had been laid before the committee, the counsel for Mr. Purling informed this committee, that he was instructed by his client to acquaint the court, that he could not carry his case further, than by the witnesses already examined; that he could not impeach Mr. Rumbold's election, or affect his votes; and therefore he would not give him any more trouble. ^ghly, that this committee, having tried the matter of the petition referred

referred to them, cannot make any further enquiry into the transactions of the said society. 6thly, and, that a further enquiry into the transactions of the society ought to be made.—Report to be taken into further consideration; return amended; report further considered; the 2d, 3d, 4th, and 5th resolutions postponed; of the 6th resolution, which is, “That a further enquiry into the transactions of the society ought to be made,” agreed to; day appointed for hearing an enquiry thereof at bar; witnesses ordered to attend; order for hearing discharged, and another day appointed; enquiry heard; bill to incapacitate certain persons from voting at elections, and for preventing bribery and corruption in the election of members for this borough, ordered; resolved, that an humble address be presented to his Majesty, to order his attorney general to prosecute certain persons, for an illegal and corrupt conspiracy, in relation to the late election for this borough; bill presented and read; day appointed for second reading; to be printed, and

and a printed copy to be served upon each party; witnesses to attend; petition of the party against it, to lie on the table till second reading of bill, and counsel ordered; second reading deferred; bill committed; considered; reported; bill and amendments to be printed; report to be further considered; bill re-committed; considered; reported; to be engrossed; day appointed for third reading; passed; Lords desire to know the grounds and evidence upon which the bill passed; committee appointed to state it; report; message to be sent to the Lords to acquaint them; bill agreed to by the Lords; Royal assent; the 2d and 3d postponed resolutions read again; and the charge contained therein to be heard at bar; copies of the charge to be sent to the returning officer; witnesses to attend; order for a witness to attend discharged; charge heard; further hearing adjourned; further heard; returning officer ordered into custody of the serjeant at arms; his petition; to be brought to the bar, in order to his discharge; reprimanded and discharged.

U

SHREWS.

SHREWSBURY.

THIS is the capital, or shire town, of the county of Salop, and a corporation, consisting of a mayor, recorder, twenty-one aldermen, and forty-eight common-council-men. It hath been summoned to send burgesses to parliament from the 26th of Edward I. and the returns were made by the bailiffs and burgesses, before it was incorporated; but since by the mayor, aldermen, and burgesses.

There are about five hundred voters; and in 1709, the right of election was resolved to be in the burgesses inhabiting in the said borough, or in the suburbs thereof, paying scot and lot, and not receiving alms or charity; and in 1714, it was declared to be in the mayor, aldermen, and burgesses.

N. B. Several parishes and villages were voted to be no part of the ancient borough or suburbs.

Refc-

SOMERSETSHIRE. 291

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1604	1	1709	16	1748	25
1614	2	1713-14	20	1768-9	32
1676	9	1722-3	20	1774-5	35
1678	9	1734-5	22		
1708	16	1747	25		

SOMERSETSHIRE.

THIS county is situated in the western part of the kingdom, and was formerly under one and the same sheriff with Dorsetshire. It has returned knights to parliament from the 22d of Edward I. Mr. Prynne has given one or two copies of returns.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1666	8	1710	16
1645-6	4	1669	9	1711	16
1654	7	1681	9	1712	17
1661	8	1690	10	1740	23
1665	8	1699	12	1767	31

U 2

SOUTH.

SOUTHAMPTON TOWN.

THIS was a borough, situate within the county of Hants, at the time of the Conquest, and as such, was originally summoned to parliament in 26th of Edward I. but in the 2d and 4th of Edward II, they made no returns, and by King Henry VI, made a town and county of itself.

There are about four hundred voters; and in 1689, the right of election was resolved to be in the burgesses and inhabitants; in 1625, it was resolved, that the out-living burgesses, as well as the burgesses (inhabitants) paying scot and lot, had a right to vote; and 1735, it was determined, that the mayor and bailiffs are the returning officers.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1668	9	1734-5	22	1770	31
1689	10	1737	22	1774-5	35
1695	11	1757	28	1776	35
1708	16	1760	28	1780	37
1711	17	1765	30		
1729	21	1766	31		

Sub-

Substance of the last Case of Controverted Election.

The petitioners were certain inhabitants of the town of Southampton, in the interest of Lord Charles Montagu, and the sitting member was John Fleming, Esq.

On Saturday the 10th February, the committee met, and the petition was read, stating as follows :

" That your petitioners beg leave to represent to this Honourable House, that though the regulation and government of the said town of Southampton is in the mayor and corporation, yet the right of election, or chusing of burgesses to serve in parliament for the said town, is vested in the inhabitants paying scot and lot.

" That the Honourable Charles Montagu, commonly called Lord Charles Montagu, the Right Hon. Hans Stanley, and John Fleming, Esq; offered themselves candidates at the last election of burgesses to represent the said town in parliament ; and Mr. Stanley and Mr. Fleming were returned as duly elected.

"That though the town of Southampton is governed by a mayor, bailiffs, and burgesses, and has a sheriff of its own; and the sheriff of Hampshire, or county of Southampton, has no office to execute within the said town; yet it has been usual, time immemorial, for persons having freeholds within the said town, to vote, in right of such freeholds, for knights of the shire or county at large; and one battalion of the militia of Hampshire, or county at large, is annually trained and exercised within the town of Southampton, which seems to imply, that the said town is still a part of the county at large, and not totally distinct or independent of the same.

"That the said Mr. Fleming, when he offered himself a candidate, and at the time he was returned as a burgess to represent the said town in parliament, was sheriff of Hampshire, or the county of Southampton; and your petitioners are informed, that all sheriffs are disabled from being elected, not only by an ancient resolution of this Honourable House, but

by the Bill of Hampshire at the time of the

by the exprefs letter of his Majesty's moft gracious writ or fummons directed to the fheriffs; in which your petitioners beg leave to obferve, are the following remarkable words: "*Willing, nevertheless, that neither you, nor any other fheriff of this our fald kingdom, be in any wife elected.*"

"Your petitioners, therefore, think themfelves much aggrieved, and apprehend that the fald election and return (fo far as refpects the fald Mr. Fleming) is an undue election and return; and flatter themfelves that the fame will be deemed by this Honourable Houfe null and void; and humbly hope that the Honourable Charles Montagu, commonly called Lord Charles Montagu, will be permitted to fit in this Honourable Houfe, as one of the burgefles for the fald town of Southampton, in the room of the fald Mr. Fleming.

"Your petitioners, therefore, humbly pray, that they may be heard by their counfel, and have fuch other relief in the premifes, as this Honourable Houfe fhall think proper."

It was admitted that Mr. Fleming was fheriff of Hampfhire at the time of his

election; that the town of Southampton is a county in itself; that there is a sheriff of the town to whom the writ of election is sent, and who, in consequence of the writ, issues his precept to the mayor and two bailiffs, they being the returning officers, according to the following resolution of the House:

3 April, 1735. Resolved, "That the mayor and bailiffs of the town, and county of the town of Southampton, are the returning officers for the said town and county."

The counsel for the petitioners informed the committee, that they did not mean to raise any question concerning the right of election, and that they admitted that the majority of legal votes was in favour of Mr. Fleming.

The counsel contended, that Mr. Fleming, having been sheriff for Hampshire at the time of the election, was ineligible to to serve in parliament; and that under the circumstances of the case, the votes given for him were thrown away; and that Lord Charles Montagu ought to have been declared duly elected.

The

The counsel then on each side stated a variety of cases, and the arguments were in general built on the same authorities and precedents, with those reported in the history of the case of Abingdon.

The committee resolved, That it is the opinion of this committee, that John Fleming, Esq. being sheriff for Hampshire at the time of the last general election, was eligible to serve in parliament for the town of Southampton.

And on Monday the 12th of February, the committee, by their chairman, informed the House that

They had declared the sitting member to be duly elected.

SOUTHWARK

THIS borough is within the county of Surry, and separated from the city of London by the river Thames only. The ancient right of election doth not appear; nor any memoirs before the Reformation.

The number of voters are about fifteen hundred; and the right of election is only in the inhabitants paying scot and lot.

Refe-

298 STAFFORDSHIRE.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1623	1	1695	11	1734	22
1645	4	1696	11	1735	22
1661	8	1702	14	1761	24
1665	8	1710	16	1743	24
1678	9	1711	17	1765	30
1680	9	1713-14	17	1768	31
1688-9	10	1723	20		
1690	10	1729	21		

STAFFORDSHIRE.

THIS county is in the north-west part of the kingdom, and was formerly joined with Salop under one sheriff. It sent knights to parliament in the 28th of Edward I. and has so continued to do to this time.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.
1647	5	1711	17
1662	8	1720	19
1693	11		

STAF-

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STAFFORD TOWN.

THIS borough is situate within the county of that name, and was a borough at the time of the general survey; and as such was summoned in the 28th of Edward I. and so hath continued ever since, as other boroughs. As to its ancient manner of election, there is no account of it to be met with, nor of any of its memoirs, until since the Reformation, except the return for the county, in the 28th Edward II.

There are about four hundred voters, and the right of election is in the mayor, aldermen, and burgesses resident within the borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1623	2	1702	14	1734	22
1645	4	1709	16	1735-6	22
1646	4	1710	16	1737	23
1647	5	1711	17	1744	24
1673	9	1717	18	1763	30
1689-90	10	1722	20	1770	32
1694	11	1724	20		

STAM-

STAMFORD.

THIS borough is situated within the county of Lincoln; it returned burgesses to parliament in the 26th, 28th, and 30th of Edward I. and in the 15th of Edward II. after which it ceased until the 33d of Edward III. when it returned two burgesses; and after intermitted sending till the 12th of Edward IV. There are about five hundred voters; and the right of election is in the inhabitants paying scot and lot, and not receiving alms or public charity.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1677	9	1727	21
1660	8	1694	11	1734-5	22
1661	8	1695	11	1737	23
1665	8	1711	16	1747	25
1676	9	1722	20	1765	30

STEYNING.

THIS borough is situate within the county of Sussex, and hath returned burgesses to parliament from the sixth of Edward

Edward I. as Mr. Prynn shows in his list. Doctor Willis writes, it made no returns till the 4th of Edward II. but Mr. Prynn hath wrote their names in the 6th of Edward, and then makes intermission of returns until the 4th of Edward II. Mr. Prynn also writes, that it was sometimes joined with Bramber.

There are about eighty voters; and the right of election is agreed to be in the inhabitants paying scot and lot, and not receiving alms, by a resolution in 1701; and in 1710 it was agreed to be in the constables and householders (inhabitants) within the borough, paying scot and lot, and not receiving alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1702	14	1722	20
1645	4	1705	16	1724	20
1648	6	1708	16	1725	20
1660	8	1710-11	16	1727	20
1680	9	1712	17	1740	23
1681	9	1713	17	1759	28
1685	9	1715	18	1764	29
1700-1	13	1716-7	18	1767	31

STOCK-

STOCKBRIDGE.

THIS borough is in the county of Southampton. Doctor Willis writes, it never sent burgesses to parliament until the first of Queen Elizabeth, but most probably the first summons was in the 5th of that reign.

There are about seventy voters; and the right of election is in the inhabitants paying scot and lot.

References to the Journals.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1614	1	1690	10	1713-14	17
1624	1	1691	10	1717	18
1661	8	1693-4	11	1756	27
1680	9	1695	11	1774	35
1681	9	1698	12	1775	35
1689	10	1705	13		

S U D B U R Y.

THIS is an ancient borough and a mayor town, in the county of Suffolk. It was incorporated by Queen Ma-

ry.

ry, and began to return members to parliament, anno 1st Elizabeth, which privilege it hath ever since retained. The corporation consists of a mayor, recorder, six aldermen, and twenty-four common-council-men.

In 1703 the right of election was resolved to be only in the sons of freemen, born after their fathers were made free, and in such as have served seven years apprenticeship; or been made freemen by redemption.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1699	13	1734	22
1645	4	1700	13	1747	25
1660	8	1702	14	1768-9	32
1661	8	1703	14	1770	32
1677	9	1705	15	1774	34
1690	10	1708	16		
1698	12	1725	20		

Substance of the last Case of Controverted Election.

The petitioner was Sir James Marriott, and the sitting members, Sir Patrick Blake, and Mr. Crespigny.

The

The last resolution of the House of Commons, 6th Dec. 1703, "Resolved, that it is the opinion of this committee, that the right of election of burgesses to serve in parliament for the borough of Sudbury, in the county of Suffolk, is only in the sons of freemen, born after their fathers were made free, and in such as have served seven years apprenticeships, or are made freemen by redemption.

The petition complained, that the sitting members had bribed a very considerable number of the voters: That the Mayor, who was the returning officer, having scrutinized the votes at the poll, rejected a great many in the interest of the petitioner, who were duly qualified; and admitted several bad votes for the sitting members: That the returning officer, at the close of the poll, declared the majority to be in favour of the petitioner; but that he afterwards illegally granted a scrutiny, and then declared the sitting members duly elected. It was given in evidence, "that the election began September 8, 1780, about ten o'clock in the morning, and continued till

it was dark : That the petitioner and his friends then desired the Mayor to adjourn the poll to the following day ; but that he refused, and proceeded all night by candle light : That the election ended between six and seven o'clock the following morning, when the Mayor ordered the poll-clerk to cast up, and declare the numbers ; whereby it appeared, that there was a majority of one in favour of the petitioner : That there was some tumult during a part of the poll ; but that it was upon the whole a very peaceable election : That the votes were scrutinized at the time they tendered, and that all objections taken were heard, and fully argued by the counsel on both sides : That upon the poll-clerk declaring the numbers, the friends of the sitting members demanded a scrutiny, which was protested against by the petitioner : That the Mayor granted a scrutiny, and appointed it to be held at the Moot-hall, on Tuesday the 12th : That the Mayor, and the friends of the sitting members, attended at the time and place appointed ; but that no persons appeared on the part of the petitioner, except to protest

X

against

against the scrutiny. Upon this the Mayor adjourned, without doing any business, to the 15th, and gave notice to the petitioner, that he should proceed at that time with the scrutiny: That the Mayor, on the 9th, made an entry in the poll-book, purporting, "That he had found obstructions in proceeding with the poll: That some of the voters were riotous: That some persons might thereby have been admitted to vote, who had no right; and that a scrutiny having been demanded, he had, for the above reasons, consented to it; and appointed it to be held at the Moot-hall:" That on the 15th the petitioner did not attend at the hall: That the Mayor, with the friends of the sitting members, proceeded with the scrutiny: That the Mayor then declared the majority to be in favour of the sitting members.

The petitioner contended, that the scrutiny was illegal; and that the returning officer ought to have declared him duly elected at the close of the poll; and ought to have so returned him to the House.

The

The committee "Resolved, upon the state of the evidence given, that the Mayor had a right to grant a scrutiny; and that he ought not to have refused it."

The numbers upon the poll, corrected by the scrutiny, were, for

Sir Patrick Blake 416

Mr. Crespigny 444

Sir James Marriott 394

Mr. Henniker 262

POINTS OF OBJECTION.

I. The first point objected to the sitting members was bribery; but the committee did not enter upon the consideration of it, as it appeared that the majority was in favour of the petitioner. It would therefore be needless to give the history of it.

The counsel for the petitioner proposed to disqualify several persons,

II. For having received charities, called Cole's and King's charities.

III. For having received parish relief, before and after the election, but not within twelve months preceding the election.

X 2

IV.

IV. As being felons convict,

V. Being admitted to the freedom without title.

VI. Being infants.

VII. For having received parish alms *within the year.*

The committee "Resolved, that it is the opinion of this committee, that the freemen of Sudbury, having received the donations under the wills of Nathaniel King and Martin Cole, are not thereby disqualified from giving their votes for members to sit in parliament."

With regard to point the third, "the committee informed the counsel, that they had not come to any resolution upon the subject; but directed them to proceed to shew what kind of relief those persons had received, and under what circumstances it was given."

Point the fourth, whether persons convicted and attainted of felony are disqualified to vote, produced two arguments:

First, Whether the evidence proposed to be given was sufficient to prove the attain.

Secondly,

Secondly, Whether the attaint worked the disqualification.

The committee "Resolved, that the book entitled The Sudbury Quarter-sessions, containing minutes of the proceedings of such quarter-sessions, be admitted in evidence, to prove the conviction of felony."

Second argument, Whether the attaint of felony created a disqualification?

The chairman informed the counsel, that the committee had not formed any resolution upon the case; but directed them to proceed to prove the facts of the several convictions.

The committee, after the facts had been proved, determined that the attaints of felony disqualified.

With respect to point five, that several persons were admitted to the freedom, and have polled, who had no title; the committee resolved, that the counsel should proceed to investigate the titles.

There were only two persons who, it was said, had no title; and it was alledged that they had not served an apprenticeship of seven years:—But it having appeared that

they had served a part of their time to former masters, and were by them turned over to others, with whom they served the remainder of their term, it was admitted, without farther trouble, that they had a right to vote.

The next question was, Whether a person who had laid a wager of about 40l. on the event of the petition, was competent to give evidence in the cause?

Committee resolved, that the witness should give evidence.

With regard to point the sixth, namely, that infants were admitted to poll;

There were objections made to two upon this ground; one of whom was allowed to be under age; the other appeared to be so, from the register of his baptism, which was produced, of the date 4th February, 1765; but his uncle swore, "that he was born in June, 1759."

As to point the seventh, that several persons polled for the fitting members, who had received parish-relief within the year.

The persons objected to under this head, are reducible to two classes:

I. Those

I. Those who received relief in their own persons.

II. Those whose children were relieved.

There were other objections made to several voters on both sides; but the witnesses not proving what was expected, they were given up.

On the part of the sitting member four votes were admitted to be bad.

The counsel for the sitting member concluded with insisting, that they had a majority of seven.

The counsel for the petitioner replied, and summed up the whole as follows, viz.

We have proved, that seven voters for the sitting member have received

relief within the year, 7

The children of four were relieved, 4

Two were relieved before and after the year, 2

One was an infant, 1

Four felons convict, 4

Admitted to be bad votes, 4

Total, 22

X 4

Number

312 J. SAUD BURN. 1822

Numbers on the poll for sitting member, 344

Deduct twenty-two, 22

Remain 322

We admit that there are six bad votes
for the petitioner, 6

We admit two to be felons convict, 2

Total, 8

Numbers on the poll for the petitioner, 334

Deduct 8

Remain 326

But we have a right to add one, 1

Upon the whole for petitioner, 327

For sitting member, 322

Majority for petitioner, 5

But if the committee should be of opinion, that the two persons who received relief before and after the election, are not disqualified, then there will remain for the petitioner a majority of three.

Sir

SUFFOLK COUNTY. 33

That Sir Herbert Mackworth informed the House, that the committee had determined, that Sir Patrick Blake, Bart. is duly elected. And

That Philip Champion Cressigny is duly elected a burgess. And also,

That Sir James Marriott ought to have been returned a burgess. And also,

That the said Sir James Marriott is duly elected a burgess.

SUFFOLK COUNTY.

THIS county is situate in the circuit called the Northern Circuit of this kingdom; and returned members to parliament in the 22d of Edward I. and has continued so to do ever since.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1672	9	1690	10	1731	21
1673	9	1707	16	1734	22
1688	10	1722	20	1742	24

SUR-

SURREY COUNTY.

THIS is a very large county, situated near the metropolis of the kingdom, being only separated therefrom in one part, by the River Thames. It has been represented in parliament from the 22d of Edward I. and was joined with the county of Suffex under one sheriff.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.
1695	11	1717	18
1711	16	1719	19
1715	18		

There are about two hundred and fifty voters; and the right of election is in the inhabitants, being householders, paying tax

SUSSEX COUNTY.

THIS county is situated on the south-west borders of the kingdom, and was formerly joined with Surrey in the sheriffship. It returned Knights of the shire, from the 22d of Edward I.

Refs.

TAMWORTH.

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References to the Journals.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1654	1	1724	10	1763	25
1695	11	1739	21	1767	27
1705	6	1741	24	1768	28
1712	17	1743	24		

TAMWORTH.

THIS borough is situate within the counties of Stafford and Warwick; and both sheriffs, as Doctor Willis writes, make the return upon two different writs. It never sent members to parliament until the 5th of Queen Elizabeth.

There are about two hundred and fifty voters; and the right of election is in the inhabitants, being householders, paying scot and lot, and not receiving alms.

References to the Journals.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1641	2	1705	15	1748	25
1645	4	1722	20	1756	27
1669	9	1726	20	1761	29
1680	9	1727	21	1765	30
1689	10	1728	21	1768	32
1698	12	1735	22	1777	36
1702	14	1741	24	1778	36

TAVIS.

TAVISTOCK.

THIS borough is situate within the county of Devon. Doctor Willis writes, it returned burgesses to parliament in the 23d and 33d of Edward I. and 19th of Edward II. with which last Mr. Prynne begins; and then ceased until the 4th of Edward III. since which time it hath constantly returned. In the 27th of Henry VI. they were chosen in the county court.

There are about one hundred and ten voters; and the right of election is in the freeholders, inhabiting within the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1641	2	1700-1	3	1754	27
1658	7	1702	14	1755	27
1660	8	1703	14	1759	28
1661	8	1710	16	1762	29
1672	9	1713	18	1763	29
1685	9	1727	21	1768	31
1689-90	10	1734	22	1768	32
1695	11	1747	23		
1696	11	1749	25		

TAUNTON.

TAUNTON.

THIS borough is situate within the county of Somerset; and hath returned members to parliament from the 26th of Edward I. It was an ancient borough by prescription; and had sixty-four burgesses at the time of the general survey. It was incorporated 29th Car. II. and put under the government of a mayor who from that time has returned the burgesses to parliament.

There are about three hundred voters; and the right of election is in the inhabitants within the borough, being potwallers, and not receiving alms or charity.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1695	11	1749	25
1645	4	1700-1	13	1751	26
1659	7	1710	16	1754	27
1680	9	1715	18	1762	29
1688	10	1722	20	1774-5	35
1690	10	1723	20		

The

Substance of the last Case of Controverted Election.

The petitioners were Alexander Popham, Esq; and John Halliday, Esq; and several electors of the borough; and the sitting members, the Honourable Edward Stratford and Nathaniel Webb, Esq.

On Saturday the 25th of February, the committee being met, the two petitions were read, setting forth;

That the mayor, as returning officer, had procured himself to be appointed mayor, to answer election purposes, and had, by unnecessary adjournments, protracted the poll from the 10th of October, when it began, to the 18th; and that he had rejected many legal votes which were tendered for the petitioners, Popham and Halliday; and admitted many illegal votes for the sitting members;

That the petitioners were duly elected by a great majority of legal votes, and ought to have been returned;

That the sitting members previous to, and during the election, were guilty of bribery and corruption, by themselves and agents.

It was admitted, by the counsel for the petitioners, that the mayor was *legally* elected; but a great deal of evidence was gone into, to shew that he was not advanced to the mayoralty in regular rotation, but had got into the office for the purpose of promoting the interest of the sitting members, and had acted as the petitioners stated at the election.

The committee, therefore, neither acquitted nor condemned the returning officer, but were of opinion; that the enquiry into his conduct was not necessary to the decision of the merits of the election; and consequently waved such enquiry.

The last determination of the right of election in Taunton, placed it in the *mbabitants* within the said borough, being *poor* *wallers*, and not receiving *alms* or *charity*.

When this resolution was moved, an amendment was proposed to the question, by leaving out the words, "*or charity*," and the question being put that the words "*or charity*" do stand part of the question, it was resolved in the affirmative; and then the main question was put, and was

was resolved in the affirmative. This proves, that in the borough of Taunton, there is a clear distinction between *alms* and *charity*; which was admitted by the counsel on both sides. "*Alms*" means parochial collection, or parish relief. "*Charity*" signifies sums arising from the revenue of certain specific funds, which have been established or bequeathed for the purpose of assisting the poor. There are a great many of those funds in Taunton, called the Town Charity, Meredith's Charity, Saunders's Charity, &c.

It was agreed, on both sides, that neither alms nor charity disqualify an elector in Taunton, unless they have been received within a year before the election. On the 27th of August, 1715, (on occasion of the petition which gave rise to the determination of the right of election) the question being put, "That the counsel for the sitting member be admitted to give evidence of persons having received Saunders's charity before the 2d of February, 1714, (which was exactly a year before the election);" it passed in the negative.

It

It was agreed, that a *potwaller* is a person who furnishes his own diet, whether he be a householder, or only a lodger.

And it was agreed, that to be a *potwaller*, qualified to vote in Taunton, it has always been understood, both before and since the determination in 1715, that such person must have a legal parochial settlement in the borough. The council for the sitting members thought, that gentlemen of fortune were excepted out of this rule; but there does not seem to be any principle on which such a distinction can be supported.

The council for the petitioners said, that the Journals of the House have recognized, that *apprentices* cannot be *potwallers* qualified to vote.

The numbers on the poll, as produced by the returning officer, were as follows:

For Webb	-	260
For Stratford	-	254
For Halliday	-	202
For Popham	-	201

The council for the petitioners proposed to disqualify, of the voters for the sitting members,

14.—As having received the town charity.

2.—As having received the church-warden's charity.

3.—As Chelsea pensioners.

19.—As not having settlements in Taunton.

15, or 16.—As not answering the definition of potwallers.

2, or 3.—As certificate-men.

2.—As apprentices.

2.—As bribery agents.

If they succeeded in this, they said there would remain a clear majority for the petitioners; but that, at all events, for they did not foresee what objections there might be to their own votes, they would prove the charge of bribery so directly and palpably, as to disqualify the sitting members, and make the election void as to them.

In the course of the cause it was settled, that Chelsea pensioners might vote.

The counsel for the sitting members endeavoured to prove fraud in the distribution of the charities, with a view to election

tion purposes; and they brought witnesses to impeach the credit of those who had given positive evidence of bribery, by the agents for the sitting members.

On their part, they proposed to disqualify, of the votes for the petitioners,

2.—On account of the town-charity, and Meredith's charity.

1.—As having received alms, and the town-charity.

2.—On account of the town-charity, and as having no settlement.

3.—As having received the town-charity, though their names were not entered in the constable's book, who is the person appointed to distribute that charity.

4.—As being the turnpike-man.

5.—As having no settlement.

6.—As not answering the definition of potwallers.

7.—As certificate-men.

They also endeavoured to prove bribery on the petitioners.

The cause lasted from the 24th of February to the 16th of March.

Y 2 On

324. TEWKESBURY.

On Thursday the 16th of March, the committee, by their chairman, informed the House that they had determined,

That John Halliday, Esq; and Alexander Popham, Esq; were duly elected; and ought to have been returned.

TEWKESBURY.

THIS borough is situate in the county of Gloucester; and Dr. Willis writes, was impowered by King James I. by charter, to send burgeses to parliament, in the 7th year of his reign.

There are about five hundred voters; and the right of election is in the inhabitants paying feet and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1609	1	1673	9 H	1717	18
1640	2	1692	10	1718	19
1641	2	1693	11	1721	20
1643	3	1711	17	1727	21
1645	4	1714	17	1754	27

THET.

Y H E T F O R D.

THIS is a borough within the counties of Norfolk and Suffolk, and never sent burgeses till King Edward the VIth's time, and was incorporated in the 16th of Queen Elizabeth.

The right of election is in the mayor, burgeses, (which are ten) and in the commonalty, or common council, (which are twenty) amounting in the whole to thirty-one.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1669	9	1698	12	1732	22
1685	9	1699	13	1741	24
1688-9	10	1700	13	1743	24
1690	10	1708	16	1754	27
1695	11	1710	16	1765	30

T H I R S K.

THIS borough is situate within the county of York; and Dr. Willis writes, was first summoned in the 23d of Edward I. to

send burgesses to parliament; but returned only once, and then ceased until the sheriff summoned it again in the last parliament of Edward VI.

The right of election is in the burgage-holders of Old Thirsk.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	9	1673	9	1717	19
1660	8	1675	9	1724	22
1670	9	1709	16	1728	24
1738	23	1711	16	1747	25
1672	9	1705	18	1765	30

TIVERTON.

THIS borough is situate within the county of Devon; and was incorporated by

King James I. who by his charter impowers the corporation to elect two burgesses to parliament.

There are about twenty-six voters; and the right of election is in the mayor, recorder, burgesses, and assistants.

Refer-

TOTNESS.

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References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1658	7	1710	16	1758	28
1660	8	1725	20	1762	29
1663	8	1736	22	1768	31
1675	9	1747	25	1770	35
1691	10	1755	27		
1702	14	1756	27		

Vol. Year. Vol. Year. Vol. Year.

TOTNESS.

THIS borough is situate in the county of Devon. It has returned burgesses to parliament from the 23d of Edward I. who were elected in the county court, in the 27th of Henry VI.

There are one hundred and seventeen voters; and the right of election is in the free-men not inhabiting, as well as freemen inhabiting within the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1654	7	1717	18	1745	25
1672	9	1718	19	1754	27
1692	10	1719	19	1759	28
1695	11	1730	21	1763	29
1698	12	1731	21	1769	32
1702	14	1741	23	1774-5	35
1711	16				

Y 4

TRE

TREGONY.

THIS borough is situate within the county of Cornwall. Dr. Willis writes, it sent burgesses to parliament in the 23^d and 35th of Edward I. and sets down the names of those returned. But Mr. Prynne takes no notice of them. After this the Dr. admits no returns were made till the 5th of Queen Elizabeth, when their right was questioned.

There are about five hundred voters; and the right of selection is agreed to be in all the inhabitants that provide for themselves whether they live under the same roof or not.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1660	8	1701	13	1727	21
1678-9	9	1710	16	1736	22
1685	9	1713	17	1741	24
1689	10	1717	18	1746	25
1690	10	1719	19	1747	25
1693	11	1720	19	1751	26
1695	11	1721	19	1767	31

T. R. U.

(329)
T R U R O

THIS borough is situate in the county of Cornwall; a very ancient borough, as will appear from the charters of Reginald Duke of Cornwall. It returned burgesses to parliament in the 26th of Edward I. and has so continued to do.

There are twenty-six voters; and the right of election is in the mayor, and select number of burgesses.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1660	8	1695	11	1717	18
1661	8	1700	13	1722-3	20
1666	8	1701	13	1742	24
1680	9	1702	14	1743	24
1681	9	1705	15	1751	26
1688	10	1708	16	1767	31
1699	19	1714	11	1779	37

WALLINGFORD.

THIS borough is in the county of Berks; was a borough at the time of the general survey, and incorporated in the 51st of

In the second of Henry V. they were chosen, by deputation from the borough, in the county court, as appears by the indenture for the county, of that year.

There are about one hundred and fifty voters; and the right of election is only in the mayor and magistrates of the said borough who pay scot and lot, and in the freeholders of lands or tenements there, who have been *bona fide*, to their own use, in the actual occupation, or in the receipts of the rents and profits of such lands and tenements, for the space of one whole year next before the election; except the same came to such freeholders by descent, devise, marriage-settlement, or promotion to some benefice in the church.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1717	18	1750	26
1661	8	1722	20	1754	27
1688	10	1727	21	1755	27
1690	10	1728	21	1768	32
1700	13	1734-5-6	22	1774	34
1709	14	1744	24	1776	36
1703	14	1747	25		
1710	16				

WARWICKSHIRE

THIS county is situate in the midland part of this kingdom; and Parliament has been represented in parliament from the time of Edward I.

References to the Journals

Year.	Vol.	Year.	Vol.	Year.	Vol.
1627	1	1690	10	1746	35
1640	2	1705	15	1765	39
1645	4	1711	17	1769	32
1654	7	1726	20		
1679	9	1733	22		

WARWICK BOROUGH

THIS borough is the chief borough of the county of this name; it was a borough at the time of the general survey, and returned burgesses to parliament in the 23d year of Edward I. Mr. Prynn's list begins the 26th of that reign. It hath been since made a mayor town by Queen Mary. The burgesses were chosen, by deputation, in the county court, in the seventh

and seventeenth of Edward IV. after which
 I meet with no memoirs of its elections be-
 fore the reign of King Charles I.

There are about five hundred voters;
 namely, such persons only as do pay to
 church and poor in the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1625	1	1689	10	1755	27
1628	1	1699	13	1756	27
1640	2	1710	16	1762	29
1654	7	1715	18	1768	31
1663	8	1722	20	1772	33
1677	9	1734	22	1774	34

W E L L S.

THIS city is situate within the county
 of Somerset; and became so by set-
 tling of the bishop's see at this place. It
 hath sent members to parliament from the
 26th of Edw. I. who were chosen in the
 county court, in the 2d of Henry V. but
 in the 12th and 17th of Edward IV. it
 appears by the indenture.

There are about five hundred voters;
 and the right of election is in the mayor,
 aldermen, and burgesses, and in such persons

as are (by the consent of the mayor and common council) admitted to their freedom in any of the seven trading companies, or on account of birth, servitude, or marriage.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1659	7	1716-7	18	1748	25
1673	9	1719	19	1754	27
1680	9	1722-3	20	1757	28
1685	9	1727	21	1763	29
1689	10	1728-9	21	1765	30
1695	11	1734	22	1766	30
1716-6	18	1747	25	1768	31

WENDOVER.

THIS borough is within the county of Buckingham. It returned burgesses in the 28th of Edward I. and 1st and 2d of Edward II. but after this intermitted until the reign of James I. when it was restored.

Persons coming by *certificate* to live in the borough, have not a right to vote.

Refer

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1644	1	1709	16	1754	26
1645	2	1710	16	1765	30
1645	4	1713	17	1770	33
1646	5	1727	21	1774	35
1672	9	1734	22	1775	35
1702	14	1753	26		

WESTMINSTER.

THIS city is within the county of Middlesex, and extends itself to the gates of the City of London. It is the ancient residence of our kings, and the place where the parliament for the most part has been held. The time of its sending members to parliament is not certain; nor are the grounds for its so doing known. It is certain that the Sheriff of Middlesex made no return of it before the 12th of Edward IV. There are several returns of the Sheriff of Middlesex, before this time, of knights of the shire.—“ Quod non sunt cives nec Burgenſes in Balliva mea. Nor is there any footing of any return it ever made, before it became a city. Upon the dissolution of the Abbey, in the year of our Lord

Lord 1539, King Henry VIII. made it a bishop's fee; and it is supposed, in right of being a city, it was summoned to send burgesses or citizens to parliament; though the first return which appears, is in the 1st of Edward VI. The right of election has never had a determination in the House of Commons; but it has always been apprehended to belong to the inhabitants of the city and liberty, paying scot and lot.

There are about eleven thousand voters; and the right of election is in the inhabitants paying scot and lot. The king's menial servants, having no proper house of their own in Westminster, have no right to vote.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1620	1	1707	15	1753	26
1625	1	1708	16	1762	29
1681	8	1713	17	1763	29
1678	9	1722	22	1770	33
1686	9	1741	24	1744-5	35
1691	10	1749	25	1776	36
1698	12	1750	26		

Subj.

Substance of the last Case of Controversied Election.

The petitioners were Henry Morris, Lord Viscount Mountmorres, in the kingdom of Ireland, and several other inhabitants, electors of the city and liberty of Westminster; and the sitting members were the Earl Percy, and Lord Thomas Pelham Clinton.

On Thursday the 26th of January, the committee being met, the petition was read, setting forth: That, at the late election for the city and liberty of Westminster, the petitioner Lord Mountmorres, Charles Stanhope, commonly called Lord Viscount Mahon, Hugh Percy, Earl Percy, Thomas Pelham Clinton, commonly called Lord Thomas Pelham Clinton, and Humphrey Gotes, Esq. being candidates, the King's menial servants not having proper houses of their own within the city of Westminster, gave votes in the said election, contrary to an express resolution of the House; that divers peers and lords of parliament, publicly canvassed, and otherwise unduly interfered in the election, contrary to several express resolutions,

lutions of the House; that during the election, after the teste and issuing out of the writ, Lord Percy and Lord Thomas Pelham Clinton, by themselves, or agents, were guilty of bribing, corrupting, and entertaining the voters; and that they allowed to the electors, and several persons who had, or claimed a right to vote, money, meat, drink, entertainment, or provision; and that by those, and other undue means, a majority of votes was procured for Lord Percy and Lord Thomas Pelham Clinton, and they were returned; and praying such relief as upon examination should appear just.

There is no general determination of the House of the right of election in Westminster; but it seemed to be agreed to be, "In the inhabitants, householders, paying scot and lot."

The resolution of the House concerning the King's menial servants, referred to in the petition, is as follows.

15 Nov. 1680. Resolved, "That the King's menial servants, not having proper houses of their own within the city of Westminster."

Westminster, have no right to give voices in the election of citizens to serve in parliament for the said city.

And the following resolution, respecting the interference of Peers in the election of members of the House of Commons, has been renewed at the beginning of every session ever since the 3d of January 1701.

Resolved, "That it is an high infringement of the liberties and privileges of the Commons of Great Britain, for any lord of parliament, or any lord lieutenant of any county, to concern themselves in the elections of members to serve for the Commons in Parliament."

The numbers on the poll stood thus:

For Earl Percy, 1099

For Lord Thomas Pelham Clinton 4744

For Lord Mountmorres 2531

For Lord Mahon 2342

For Humphrey Cotes, Esq. 1130

The counsel for the petitioners said, it was not their intention to contend that the majority was not in favour of the sitting members; but that they would prove the

different allegations of the petition, by which it would appear, that the rights of election had been invaded, in a manner highly alarming, so as to call for the interposition and censure of the House, which they hoped would take place, on the report of the committee.

They however were not able to prove any direct solicitation of any peers; and the committee determined that the said members were duly elected.

WORCESTER

THIS is the capital of the county and diocese of its name. Dr. Willis writes, it returned burgesses to parliament from the 23d of Edward I.

There are about two thousand voters; and the right of election is in the citizens, not receiving alms, and are admitted to their freedom by birth, or servitude, or by redemption, in order to trade within the said city.

Refs.

References to the Journals.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1680	9	1717	18	1761	29
1691	11	1741	24	1774	34
1693	12	1743	24	1774	34
1710	16	1746	25	1775-6	35
1715	18	1747	25		

Substance of the last Case of Controverted Election.

The petitioner was Sir William Lewis, and the sitting members, John Wallis, and Thomas Bates Rous, Esqrs.

On Tuesday the 30th of January, the committee met, and the petition was read. It set forth;

1. That the two sitting members, had been guilty of bribery, by themselves and agents.

2. That the mayor and several aldermen, and justices of the city, and many of the common council, had acted as agents of, and had threatened, canvassed, and solicited great numbers of freemen to vote for, the sitting members, and had promised that they should be set down as constables, and have a certain reward for their votes; that they had bribed, and attempt-

ed to bribe with money, and otherwise corrupt a great many freemen, to induce them to vote for Mr Walsh and Mr. Rous, or one of them; and were guilty of divers other corrupt and illegal practices for the same purpose.

3. That by those means, and other undue influence, the mayor, aldermen, and common council, as agents for the sitting members, procured many to vote for them, who otherwise would have voted for the petitioner.

5. That the mayor, several of the aldermen, and justices, and the town-clerk, for several days before, and during the election, had met together, and had appointed, and sworn in, many freemen (to the number, as the petitioner believed, of 300 and upwards,) to be constables, under a promise from those persons, that they would vote for Mr. Walsh and Mr. Rous, for which they were to have certain rewards in money; and that this money was afterwards paid to them out of the funds of the city, or by the two sitting members.

That

5. That a peer and lord of parliament had, by himself and his agents, interfered in the election, by publicly canvassing and soliciting votes on behalf of Mr. Walth, and by using threats to intimidate freemen from voting for the petitioner, in violation of the privileges of the House, and the freedom of election, and to the infringement of the rights of the Commons of Great Britain.

6. That the sheriff and returning officer of the city (Worcester being a county corporate, and the sheriff the returning officer) had rejected good votes tendered for the petitioner; and had admitted persons not qualified, to vote for the sitting members.

7. That, by these and other illegal means, the sitting members had procured a majority on the poll; but that the majority of legal votes was in favour of the petitioner.

The last determination of the right of election was next read; and then the standing order of 16 Jan. 1775-6.

The last determination is as follows;

11 Feb. 1747-8. Resolved, "That the right of election of citizens to serve in parliament for the city of Worcester is in the citizens of the said city not receiving alms, and admitted to their freedom by birth or servitude, or by redemption, in order to trade within the said city."

The election began on Wednesday the 12th of October, 1774, and ended on Tuesday the 18th.

The numbers on the poll were,

For Mr. Rous

For Mr. Walth

For Sir Watkin Lewes

For Mr. Bearcroft

So that Mr. Rous had a majority of 145, and Mr. Walth of 157, over Sir Watkin Lewes.

On Thursday the 13th of April, the committee, by their chairman, informed the House, that they had determined

That the two sitting members were duly elected.

W. B. L. Y.

THIS borough is situated within the county of Worcester; and is a city.

WENLOCK

THIS borough is within the county of Salop; and by charter of Edward IV. anno 1473, had the privilege of sending one burgess to parliament, which Dr. Willis writes, was the first charter of this kind; Mr. Prynne doth not take notice of it; but by a MS. note of Mr. G. Holmes, there was a return of one member in the 17th of Edward IV. nor doth it appear when it returned two burgesses. In a list of members published by the same Dr. Willis, he has inserted the names of two burgesses for this borough in the 33d Henry VIII.

There are about one hundred voters; and the right of election is in the burgesses.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	4	1716	18	1744	24
1710	16	1719	19	1758	28
1713	17	1722	20		
1715	18	1738	23		

WEOBLY.

THIS borough is situated within the county of Hereford; and sent burgesses

gesles to all King Edward the First's par-
liaments; though Mr. Prym does not be-
gin his list till the 26th of Edward I.
It discontinued after his reign, until the
reign of Charles I. when it was restored.
There are about eighty voters, and the
right of election is in the inhabitants of
the ancient vote-houses of 200 *per ann.*
value and upwards, residing in the said
houses forty days before the day of elec-
tion, and paying scot and lot; and also
in the owners of such ancient vote-houses,
paying scot and lot, who shall be resident
in such houses at the time of the election.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1702	13	1747	25
1640	2	1708	16	1748	25
1640	4	1715	15	1757	27
1660	8	1718	19	1757	28
1675	9	1722	20	1762	29
1677	9	1723	20	1770	33
1691	16	1729	21	1772	34
1698	12	1732	21	1780	37
1700	13	1734-5	22		
1701	13	1736	22		

WEST-

WESTBURN
THIS borough is in the county of Wilts, and its first return to parliament of any burgesses, was in the 27th of Henry VI.

There are about fifty voters; and the right of election is in every tenant of any burgage tenement in fee, for life, or ninety nine years, determinable upon lives, or by copy of court roll, paying a burgage rent of 4d or 2d yearly, being resident in the borough, and not receiving alms.

References to the JOURNAL.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1571	1	1723	20	1735	22
1658	7	1724	20	1736	22
1677	9	1727	21	1747	25
1680	9	1728	21	1753	26
1702	14	1729	21	1770	32
1715	18	1734	22	1779	37
1722	20				

WESTLOO
THIS borough is in the county of Corn- wall; it first returned members to parliament in the reign of Edward VIth, and was incorporated by Queen Elizabeth.

There

348 WESTMORELAND COUNTY.

There are about fifty three voters; and the right of election is in the mayor, aldermen, burgesses, and freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1646	3	1713	17	1736	21
1648	16	1717	28	1742	22
1661	8	1723	20	1748	24
1676	9	1726	29	1749	25
1678	9	1728	21	1757	27
1680	9	1739	22	1761	30
1702	14	1733	23	1775	32
1706	15	1734	22		

WESTMORELAND COUNTY.

THIS is one of the northern counties of this kingdom, and has returned knights of the shire to parliament from the 22d of King Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1643	4	1704	14	1763	29
1676	9	1706	15	1768	32
1677	9	1726	29	1774	35
1689	10	1759	23	1775	35
1698	11				

WEY.

(342)
WESTMORLAND COUNTY

WEYMOUTH AND MELCOMBE REGIS.

THESE are situate in Dorsetshire, and were formerly two boroughs; but in Queen Elizabeth's time, by act of parliament, they were united; which act was confirmed in the fifteenth year of King James I. and as formerly they sent each two burgesses, so now there are four returned by one returning officer, in two indentures, viz. the two who have the majority are returned as burgesses for Weymouth, and the other two as burgesses for Melcombe Regis.

There are about four hundred voters; and the right of election is agreed to be in the mayor, aldermen, bailiffs, and capital burgesses, inhabiting in the borough, and in persons seized of freeholds within the borough, and not receiving alms.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1701	13	1736	21
1656	5	1703	15	1750	26
1666	8	1710	16	1753	27
1669	9	1711	17	1762	29
1676	9	1713	14	1763	29
1672	9	1716	18	1768	32
1680	9	1726	20	1774	35
1685	9	1720-30	21	1776	36
1691	10	1734-5	22	1778	36
1697	12				

WHIT.

WHITCHURCH

THIS borough is within the county of Hants; or Southampton, and first sent members the 27th of Queen Elizabeth. There are about seventy freeholders, and the right of election is in the freeholders only of lands or tenements, in right of themselves, or their wives, not split since the act of the 7th and 8th years of the reign of King William.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1707	15	1737	23
1660	8	1708	16	1741	24
1673	9	1710	16	1742	24
1685	9	1713	16	1746	25
1691	10	1715	18	1751	26
1695	11	1721	19	1757	27
1697	12	1722	20	1765	30
1698	12	1726	20	1767	31
1702	14	1727	20		
1705	15	1735	22		

WIGAN.

W I L T O N.

THIS borough is within the county palatine of Lancaster. Dr. Willis writes, it returned members to parliament in the 23d and 35th of Edward I. Nor doth Mr. Prymer take notice of it, except in the second part of his register, where he mentions the return of the 26th of Edward I. in the same manner with Dr. Brady; so that I find no traces of certainty in any return, until the 2d of Edward VI. when, Dr. Willis writes, it was restored.— There are about two hundred voters; and the right of election is in the free burgesses.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1626	10	1633	11	1746	28
1643	4	1695	11	1762	29
1660	3	1698	12	1763	29
1678	9	1699	13	1775	35
1689	10	1713-14	17		

W I L T O N.

THIS borough is situate within the county of Wilts, and is the shire town thereof;

it

it has returned burgesses to parliament from the 28th of Edward I. Its original method of election I have not met with, other than that they were chosen in the county court on the 2d of Henry V. — There are about eighty voters; and the right of election is agreed to be in the mayor and burgesses who are to do all corporate acts; and receive the sacrament.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1660	8	1710	16	1767	27
1661	8	1723	20	1768	28
1690	10	1737	22	1772	34
1700	13	1740	23	1778	35
1702	14	1751	26	1777	36

WILTSHIRE.

THIS county is in the western circuit, or division, of the kingdom; and hath returned knights to the parliament in the same manner as the other counties, from the first summons of counties.

Refs.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1664	8	1690	10	1722	21
1670	9	1713	17	1767	31
1673	9	1716	18	1770	33
1679	9	1728	20	1772	34
1685	9				

WINCHELSEA.

THIS is a very ancient city, the capital of the diocese of its name, in the county of Hants. It has returned citizens to parliament from the 26th of Edward I. and several parliaments have been held here.—There are about forty voters, and the election is in the mayor, jurats, and freemen.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1623	1	1708	16	1759	28
1640	2	1710	16	1760	28
1642	3	1720	19	1761	29
1645	4	1722	20	1763	29
1666	8	1727	21	1765	30
1677	9	1728	21	1768	32
1696	11	1737	23	1770	32
1700	13	1741	24	1774	35
1702	14	1756	27		

WINCHESTER.

THIS is now called one of the Cinque Ports, though only a member of the port of Hastings, as appears by record, anno. 11. Johannes — “Quod Winchelsey & rege debent esse in auxilium ville de Hastings ad faciend. “Regis servitium 20 Navium.” It sent burgesses to parliament at the same time with the others. — The election is stated to be in the mayor, aldermen, bailiffs, and corporation.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1659	10	1729	20
1666	8	1709	13	1751	26
1666	8	1713	17	1765	30
1689	9	1715	18	1774	35

Dr. Brady. — The number of votes are 100.

known at four hundred and fifty, and agreed to be in the number of four hundred paying

WINDSOR.

THIS borough is situate within the county of Berks. Dr. Willis writes, it was so in the 5th, and returned burgesses to parliament in the 30th, of Edward I. and so continued to do till the 14th of Edward III. and then intermitted until the 25th of Henry VI. Mr. Pryme, in his catalogue, takes the same notice of the returns,

returns, though in his *Brevia Parliamentaria Rediviva*, he writes in the 20th of Edward I. but in the 1st, 2d, 4th, 5th, 6th, 7th, and 8th of Edward II. "Ballivi libertat. Septem hundredorum de Wyndesore, nullum mihi dederunt responsum;" and also writes, it returned in the 3d, 9th, 10th, 14th, and 13th of Richard II. and in the 8th of Henry IV. also to several parliaments of Henry V. and also in the 1st, 3d, 5th, and 20th of Henry VI. after which they agree the returns were made by indenture in the 25th, 27th, 29th, and 38th of Henry VI. and by a manuscript note of Mr. Holmes, he adds the 31st of Henry VI. The indenture of the 25th of Henry VI. is set forth in the *Brevia Parliamentaria Rediviva*, and in Dr. Brady. — The number of voters are reckoned at four hundred and fifty, and agreed to be in the inhabitants of the borough paying scot and lot.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1711	16	1743	24
1660	8	1711	17	1744	24
1661	8	1715	18	1746	25
1676	9	1726	20	1755	27
1678-9	9	1732	21	1765	30
1680	9	1733	22	1768	32
1689-90	10	1737	23	1772	34
1693	11	1740	23		

WOODSTOCK.

THIS borough is situate within the county of Oxford; and, as Dr. Willis writes, returned burgesses to parliament in the 30th and 33d of Edward I. but Mr. Prynne takes no notice of any returns for it; nor do I find the names of any burgesses returned for it before the 1st of Queen Mary, when the Doctor writes it returned, and also to the two next parliaments; and then intermitted until the 13th of Queen Elizabeth, when its right of returning was enquired into. — There are about four hundred voters, who are the mayor, aldermen, and freemen of the said borough.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1722	20	1757	27
1673	9	1731	21	1767	31
1713	17	1744	24	1770	32
1716	18	1746	25	1771	33
1717	18	1753	26	1772	33
1719	19	1755	27	1776	35
1721	19	1756	27	1777	36

WORCESTERSHIRE.

THIS county is upon the extreme parts of the kingdom towards Wales, and has returned knights of the shire from the 22d of Edward I.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1640	2	1720	19	1765	30
1761	13	1727	20	1774	34
1702	14	1756	26	1775	35
1797	15				

WOTTON BASSET.

THIS borough is situate within the county of Wilts. Dr. Willis writes, it first returned burgessees to parliament in the 25th of Henry VI. and Mr. Prynne's list then begins, from which time, I apprehend, it has continued so to do. — There are one hundred and fifty voters; and the right of election is in the principal inhabitants.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1645	4	1705	15	1741	24
1660	8	1710	16	1742	24
1685	9	1722	20	1747	25
1689	10	1727-8-9	21	1754	27
1690	10	1734	22	1771	33
1700	13				

YARMOUTH, in NORFOLK.

THIS borough is situate in the county of Norfolk, and was a royal borough at the time of the general survey. — There are about seven hundred and thirty voters; and the right of election is in the burgesses at large.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1664	7	1723	20	1756	27
1660	8	1730	21	1765	30
1677	9	1737	23	1770	32
1709	16	1749	25	1777	36

YARMOUTH, in HAMPSHIRE.

THIS borough is in the Isle of Wight, part of the county of Hants, or Southampton. Dr. Willis writes, it sent burgesses to parliament

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1614	1	1670	9	1734	22
1620	1	1706	15	1735-6	22
1625	1	1707	15	1741	24
1628	II	1726	20	1747	25
1647	5	1728	21	1758	28

D E L A W A R E.

THIS is the capital of the county of this name: it is a very ancient city; but had its corporation as a mayor town, with the addition of title of Lord to that of Mayor, in the ~~reign~~ of King Richard II. It hath returned members to parliament from the 26th of Edward I. and parliaments have frequently been held here. — There are about fifteen hundred voters; and the right of election is in the corporation and citizens.

References to the JOURNALS.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1628	1	1685	9	1713	17
1656	7	1690	10	1725	20
1664	8	1691	12	1742	24
1673	9	1711	16	1757	25

YORK 300

CONSTITUTION
OF THE
REPRESENTATION
FOR

SCOTLAND.

BY stat. 6 Ann. c. 8, entitled, "An act for
an Union of the two Kingdoms of
England and Scotland," it is enacted, that
forty-five members shall be elected to sit in the
House of Commons of the Parliament of Great
Britain.

And by the said act it is enacted, that of the
said forty-five representatives, thirty shall be
chosen by the shires or steuaries, and fifteen
by the royal burghs, as follows, viz. one for
every shire and steuarty, excepting the shires of
Bute and Caithness, which shall chuse one by
turns, Bute having the first election; the shires
of

of Nairn and Cromarty, which shall also chuse by turns, Nairn having the first election; and in like manner the shires of Clackmanan and Kinross shall chuse by turns, Clackmanan having the first election; and in case of the death or legal incapacity of any of the said members, from the respective shires or stewartries above mentioned, to sit in the House of Commons, it is enacted, that the shire or stewarty, who elected the said member, shall elect another member in his place; and that the said fifteen representatives for the royal burghs be chosen as follows, viz. that the town of Edinburgh shall have right to elect and send one member to the parliament of Great Britain; and that each of the other burghs shall elect a commissioner, which commissioners and burghs, Edinburgh excepted, being divided in fourteen classes or districts, shall meet at such time and burghs, within their respective districts, as her Majesty, her heirs or successors, shall appoint, and elect one for each district, viz. the burghs of Kirkwall, Wick, Dornock, Dingwall and Taine, one; the burghs of Portrose, Inverness, Nairn, and Forres, one; the burghs of Elgin, Cullen, Banff, Inverury, and Kintore, one; the burghs of Aberdeen, Inverberwy, Montrose, Aberbrothock, and Brochinchine,

chine, one; the burghs of Forfar, Perth, Dundee, Coupar, and St. Andrews, one; the burghs of Crail, Kilrennie, Anstruther Easter, Anstruther Wester, and Pittenweem, one; the burghs of Dyfart, Kirkaldie, Kinghorn, and Brunsford, one; the burghs of Innerkithen, Dunfermline, Queensferry, Culrois, and Sterling, one; the burghs of Glasgow, Renfrew, Ruglen, and Dumbarton, one; the burghs of Haddington, Dunbar, North Berwick, Lauder, and Jedburgh, one; the burghs of Selkirk, Peebles, Linlithgow, and Lanerk, one; the burghs of Dumfries, Sanquhar, Annan, Lockmaben, and Kirkcudbright, one; the burghs of Wigtown, New Galloway, Stranraer, and Whitehern, one; and the burghs of Air, Irvine, Rothesay, Campbeltown, and Inverary, one. And it is hereby declared and ordained, that where the votes for the commissioners for the said burghs met to chuse representatives, from their several districts, to the parliament of Great Britain, shall be equal, in that case the president of the meeting shall have a casting or decisive vote; and that by and according to his vote as a commissioner from the burgh from which he is sent, the commissioner from the eldest burgh, presiding in the first meeting, and the commissioners from

the

the other burghs, in their respective districts, presiding afterwards by turns, in the order as the said burghs are now called in the rolls of the parliament of Scotland; and that in case any of the said fifteen commissioners from burghs shall decease, or become legally incapable to sit in the House of Commons, then the town of Edinburgh, or the district which chose the said member, shall elect a member in his or their place: It is thereby expressly provided and declared, that none shall be capable to elect, or be elected, for any of the said estates, but such as are twenty-one years of age complete, and Protestants, excluding all Papists, or such, who being suspected of Popery, and required, refuse to swear and subscribe the formula, contained in the third act made in the 8th and 9th sessions of King William's Parliament, entitled, an "Act for preventing the Growth of Popery," &c. &c.

References to the JOURNALS respecting Matters of ELECTION.

A B E R D E E N S H I R E.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1732	21	1734	22
1727	21				

AIR.

AIRSHIRE

Year.	Vol.	Year.	Vol.	Year.	Vol.
1915	18	1934-5	6	1941	24

ABERDEEN, &c.

ABERDEEN, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1710	16	1739	13	1750	20
1715	18	1741	24	1766	30
1722	20	1748	25	1778	37

are twenty-one years of age complete, and Pro-
 elected for any of the said estates, but such as
And R. &c.

A. I. R. & Co.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1719	19	1731	21	1761	29
1721	19	1742	26	1776	35

an Act for preventing the Crown of
William's Parliament, entitled

ARGYLESHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1736	22	1741	24	1766	31
1739	23	1763	29	1772	33

BAMFFSHIRE

Year.	Vol.
1734	22

BER-

BERWICKSHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1717	18	1734	22	1760	8

DUMFRIESHIRE.

Year.	Vol.	Year.	Vol.
1709	1	1762	29

DUMFRIESHIRE.

CAITHNESS-SHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1709	16	1737-8-9	21	1741	24
1715	18				

CLACKMANNANSHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1734	22	1774-5	37

CRAIG, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1710	16	1722	26	1765-6	36
1711-12	17	1741	24	1777	36
1713-14	17	1757	27		

CRO.

CROMARTYSHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1728	21	1742	24	1768	32
1741	24	1766	31	1777	36

DUNBARTONSHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1722-3-4	20	1761	9	1774-5	35

DUMFRIESHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1726	20	1741	24
1710	16	1734	22	1755	27
1713	17	1737	22		

DUMFRIES, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1734	22	1742	24
1713	17	1735	22	1766	30
1722	20	1738	23		

DYSART, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1735	22	1763	24
1709	16	1743	24	1772	30
1722	20	1749	25	1774-5	36
1734	22				

EDIN.

EDINBURGHSHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1722	20	1750	26	1775	35
1737	22	1754	27	1777	36
1742	24	1760	28	1779	37
1743	24	1765	30		

EDINBURGH CITY.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1709	16	1715	18	1762	29
1710	16	1720	19	1774	35
1711	17	1741	24		

ELGINSHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1720	19	1777	37
1719	19	1727	20		

ELGIN, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1713	17	1723-4	20	1754	27
1715	18	1727	21	1771	33
1722	20	1746	25	1774	33

FIFE.

FLEESHIRE

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708-9	16	1751	26	1775-6	33
1715	18	1762	29	1779-80	37
1717	18				

FORFARSHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1714	17	1727	21	1734	22
1716	18	1732	22	1735	22

FORFAR, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1710	16	1742	24	1768-9	32
1722	20	1763	30	1769	32
1723-4	20				

FORTROSE, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1722	20	1737	22	1768-9	32
1725	20				

GLASGOW.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1727-8	21	1743	24
1709	16	1728-9	21	1765	30
1715	18	1729-30	21	1768	32

B b

HAD.

HADDINGTONSHIRE.

Year.	Vol.	Year.	Vol.
1717	18	1777	36

HADDINGTON, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1709	16	1735	22	1750	26
1720	19	1736	22	1768	32
1721	19	1737	23	1774-5	35
1722	20	1738	23	1780	37
1734	22	1741	24		

INVERKEITHING, DUMFERLINE, QUEENSFERRY, CULROSS, and STERLING.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1713-14	17	1734	22	1761	29
1727	21	1735-6	22	1769	32
1729	21	1758	28	1774-5-6	35

KINCARDINESHIRE.

Year.	Vol.	Year.	Vol.
1734	22	1735-6	22

KINROSS-SHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1710	16	1741	24	1768-9	32
1715	18				

KIRCUDBRIGHT STEUARTRY.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1713	17	1741	24	1763	29
1734-5	22	1742	24		

KIRK W A L L, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708-9	16	1722	20	1773	34
1713	17	1741	24	1774	35

LANERKSHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1718	19	1734	22	1774-5	35
1722-3	20	1750	25	1777	36
1729	21	1759	28	1779	37

LINLITHGOWSHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1734	22	1744	24
1713-14	17	1735	22	1768-9	32
1722-3	20	1736	22	1770	32
1724-5	20	1743	24	1779	37

B b 2

NAIRN-

N A I R N S H I R E .

Year.	Vol.	Year.	Vol.	Year.	Vol.
1734-5	22	1774	35	1777	36
1766	31	1771	35	1778	37
1771	35	1772	35	1779	38
1772	35	1773	35	1780	39
		1774	35	1781	40

O R K N E Y , & C U R I O U S

Year.	Vol.	Year.	Vol.	Year.	Vol.
1713	17	1729	21	1761	29
1722	20	1735	25	1770	33
1735	25	1736	25	1771	34
1736	25	1737	25	1772	35
1737	25	1738	25	1773	36

P E E B L E S C O U N T Y .

Year.	Vol.	Year.	Vol.	Year.	Vol.
1710	16	1731-2	21	1767	33
1711	17	1734	22	1775	35
1727	24	1735	25	1776	36
1735	25	1736	25	1777	37
1736	25	1737	25	1778	38

P E R T H S H I R E .

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708-9	16	1715	18	1764	29
1710	16	1724	20	1773	4
1713	17	1725	20		

R E N F R E W S H I R E .

Year.	Vol.	Year.	Vol.	Year.	Vol.
1715	18	1722-3-4	20	1742	24

ROSS.

ROSS-SHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1722	20	1746	25
1709	16	1732	22	1763	29
1710	16	1741	24	1766	31

ORKNEY.

ROXBURGH-SHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1728	21	1767	31
1709	16	1741	24	1770	32
1726	40	1765	30	1777	36

SELKIRK-SHIRE.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1711	17	1753	26	1762	29
1729	21	1756	27	1765	30
1753	22				

SELKIRK, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1717	17	1725-6	20	1768	32
1722	20	1741	24	1772	33
1723-4	20	1747	25	1774	35

Bb 3

STER.

STERLINGSHIRE

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1734	22	1754	27
1711	17	1741	25	1761	29
1723-4-5	6 20	1747	25	1767	27

SUTHERLANDSHIRE

Year.	Vol.	Year.	Vol.	Year.	Vol.
1714	17	1741	22	1761	25
1722	20	1747	25	1767	27
1733	22	1751	26		
1734-5	22				

WIGTOWNSHIRE

Year.	Vol.	Year.	Vol.	Year.	Vol.
1710	16	1735	22	1761	29
1734	22	1751	26		

WIGTOWN, &c.

Year.	Vol.	Year.	Vol.	Year.	Vol.
1708	16	1729	21	1768	32
1711	17	1734-5-6	22	1770	32
1727-8	21	1761-2	29	1774	35

A Summary

A Summary of the whole House of Commons.

40	Counties in England send	80	knights
25	Cities (Ely, none) London 4,	50	citizens
167	Boroughs, 2 each	334	burgesses
5	Boroughs, (Abingdon, Banbury, Bewdly, Higham		
3	Peters, Monmouth) 1 each	5	burgesses
4	Universities	4	burgesses
8	Cinque Ports, viz. Hastings,		
	Dover, Sandwich, Romney, Hythe, and their three		
	branches, Rye, Winchelsea,		
	and Seaford	16	barons
12	Counties in Wales	12	knights
12	Boroughs, ditto	12	burgesses
10	Shires of Scotland	30	knights
8	Boroughs of ditto	15	burgesses
Sum total		558	

The remedy where one is chosen and another

~~returned~~
~~of the whole House of Commons~~
~~to the King's Bench~~

knights and burgeses within his county and city

A full Recitation of all the various Acts of Parliament relating to the Election of the Representatives of the People

such as shall procure or commit any wrongs

5. R. 2. H. 2. c. 4.

EVERY one to whom it belongeth shall upon summons come to Parliament.

7. H. 4. ch. 15. The manner of the election of knights of shires for a Parliament.

1. H. 5. ch. 1. What sort of people shall be chosen and who shall be choosers of the knights and burgeses of the Parliament.

8. H. 6. ch. 7. What sort of men shall be choosers: and who shall be knights of the Parliament.

10. H. 6. ch. 2. Certain things required in him who shall be a chooser of the knights of Parliament.

22. H. 6. ch. 14. Who shall be knights for the Parliament. The manner of their election.

The

The remedy where one is chosen and another returned.

24th 35th H. 8. ch. 12. An act for making of knights and burgesses within the county and city of Chester.

35th H. 8. ch. 11. The bill for knights and burgesses in Wales, concerning the payment of their fees and wages.

5 Eliz. c. 9. An act for punishment of such as shall procure or commit any wilful perjury.

39 Eliz. c. 5. An act for the continuance and perfecting of divers statutes.

21 Jac. ch. 28. An act for continuing and reviving of divers Statutes, and repeal of divers others.

25 Car. 2. ch. 9. An act to enable the county palatine of Durham to send knights and burgesses to serve in Parliament.

30 Car. 2. ch. 11. An act for the more effectual preserving the King's person and government, by disabling Papists from sitting in either house of Parliament.

10 Will. 3. ch. 2. An act for removing and preventing all questions and disputes concerning the assembling and sitting of this present Parliament.

11 *W. & M. ch. 8.* An act for the abrogating of the oaths of supremacy and allegiance, and appointing other oaths.

12 *W. & M. Sess. 2. ch. 2.* An act declaring the rights and liberties of the subjects, and settling the succession of the crown.

13 *W. & M. Sess. 2. ch. 7.* An act declaring the right and freedom of election of members to serve in Parliament for the Cinque Ports.

14 *W. & M. Sess. 2. ch. 9.* An act for granting to their Majesties certain rates and duties upon salt, and upon beer, ale, and upon other liquors, for securing certain recompences and advantages in the said act mentioned, to such persons as shall voluntarily advance the sum of ten hundred thousand pounds towards carrying on the war with France.

15 *W. & M. Sess. 2. ch. 10.* An act for granting to their Majesties several rates and duties upon tonnage and vessels, and upon beer, ale, and other liquors, for securing certain recompences and advances in the said act mentioned, to such persons as shall voluntarily advance the sum of fifteen hundred thousand pounds towards carrying on the war against France.

16 *W. 3. ch. 4.* An act for preventing a charge and

and expense in elections of members to serve in Parliament.

7 W. 3. ch. 7. An act to prevent false and double returns of members to serve in Parliament.

7 W. 3. ch. 9. An act for the farther regulating elections for members to serve in Parliament; and for the preventing irregular proceedings of sheriffs and other officers in the electing and returning such members.

7 W. 3. ch. 10. An act for preventing irregular proceedings of sheriffs and other officers in making the returns of members chosen to serve in Parliament.

12 W. 3. ch. 1. An act for granting an aid to his Majesty by sale of the forfeited, and other estates and interests in Ireland, and obnoxious tax in England, for the several purposes therein mentioned.

13 W. 3. ch. 2. An act for the farther limitation of the Crown, and better securing the rights and liberties of the subject.

13 W. 3. ch. 10. An act for granting an aid to his Majesty, for defraying the expence of his navy, guards and garrisons for one year, and for other necessary occasions.

13 W. 3. ch. 6. An act for the farther security

city of his Majesty's person, and the succession of the crown in the Protestant line, and for extinguishing the hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret abettors.

2 & 3 Ann, ch. 4. An act for the public registering of all deeds, conveyances and wills that shall be made of any honours, manors, lands, tenements or hereditaments within the West-Riding of the county of York, after the nine and twentieth day of September, one thousand seven hundred and four.

4 & 5 Ann, ch. 8. An act for the union of the two kingdoms of England and Scotland.

6 Ann, ch. 6. An act for rendering the Union of the two kingdoms more entire and complete.

6 Ann, ch. 7. An act for the security of her Majesty's person and government, and of the succession to the crown of Great Britain, in the Protestant line.

6 Ann, ch. 23. An act to make farther provision for electing and summoning sixteen Peers of Scotland, to sit in the House of Peers in the Parliament of Great Britain, and for trying the Peers for offences committed in Scotland, and

for the farther regulating of elections of members to serve in Parliament.

6 *Ann. ch. 35.* An act for the public registering of all deeds, conveyances, wills, and other incumbrances that shall be made, of, or that may affect any honors, manors, lands, tenements, or hereditaments within the East-Riding of the county of York, or the town and county of the town of Kingston upon Hull, after the nine and twentieth day of September, one thousand seven hundred and eight; and for the rendering the register in the West Riding more complete.

7 *Ann. c. 20.* An act for the public registering of deeds, conveyances, and wills, and other incumbrances which shall be made, of, or that may affect any honors, manors, lands, tenements, or hereditaments, within the county of Middlesex, after the twenty-ninth day of September, one thousand seven hundred and nine.

9 *Ann. c. 5.* An act for securing the freedom of Parliaments by the farther qualifying the members to sit in the house of Commons.

10 *Ann. c. 10.* An act for laying several duties upon all soap and paper made in Great Britain, or imported into the same; and upon choquered and striped linens imported; and upon certain

certain silks, callicoes, linens, and stuffs, printed, painted, or stained; and upon several kinds of stamped vellum, parchment, and paper; and upon certain printed papers, pamphlets, and advertisements, for raising the sum of eighteen hundred thousand pounds, by way of lottery, towards her Majesty's supply; and for licensing an additional number of hackney chairs, and for charging certain stocks of cards and dice, and for better securing her Majesty's duties to arise in the office for stamp duties by licences for marriages, and otherwise; and for relief of persons who have not claimed their lottery tickets in due time, or have lost Exchequer bills, or lottery tickets; and for borrowing money upon stock, (part of the capital of the South Sea Company) for the use of the public; and for preventing fraudulent contrivances in order to multiply votes for electing knights of shires to serve in Parliament; and for explaining the Statute relating to the valuing of freeholds of forty shillings per annum; and for the better regulating the elections of members to serve in

in Parliament for that part of Great Britain
 called Scotland. An act for making per-
 petual Stat. 7 Will. 3. chap. 2. An act to explain Stat.
 12 Geo. 2. chap. 2. An act for farther secu-
 rity of his Majesty's person and government,
 and the succession of the Crown in the heirs of
 the late Princess Sophia, being Protestants, and
 for extinguishing the hopes of the pretended
 Prince of Wales, and his open and secret ad-
 herers. An act for redeeming several
 funds of the Governor and Company of the
 Bank of England, pursuant to former provides
 of redemption, and for securing to them several
 new funds and allowances redeemable by Parlia-
 ment; and for obliging them to advance further
 funds, not exceeding two millions five hundred
 thousand pounds, at five pounds per centum, as
 shall be found necessary to be employed in less-
 ening the national debt and incumbrances; and
 for continuing certain provisions formerly made
 for the expences of his Majesty's civil govern-
 ment; and for payment of annuities, formerly
 payable to members of the House of Commons.

purchased at the rate of five pounds per centum; and for other purposes in this act mentioned.

3 Geo. c. 9. An act for redeeming the yearly fund of the South-Sea Company, being after the rate of six pounds per centum, per annum, and settling on the said Company a yearly fund, after the rate of five pounds per centum, per annum, redeemable by Parliament; and to raise for an annuity, or annuities, at five pounds per centum, per annum, any sum not exceeding two millions, to be employed in lessening the national debts and incumbrances; and for making the said new yearly fund and annuities to be hereafter redeemable in the time and manner thereby prescribed.

6 Geo. c. 18. An act for better securing certain powers and privileges intended to be granted by his Majesty by two charters for assurance of ships and merchandises at sea; and for lending money upon bottomry; and for restraining several extravagant and unwarrantable practices therein mentioned.

11 Geo. c. 12. An act for regulating elections within the City of London; and for preserving the peace, good order, and government of the said city.

1 Geo.

1 Geo. 2. c. 56. An act to disable any person from being chosen a member of, or from sitting and voting in, the House of Commons, who has any pension for any number of years from the Crown.

2 Geo. 2. c. 24. An act for the more effectual preventing bribery and corruption in the election of members to serve in Parliament.

2 Geo. 2. c. 25. An act for the more effectual preventing, and farther punishment of, forgery, perjury, and subornation of perjury; and to make it felony to steal bonds, notes, or other securities, for payment of money.

7 Geo. 2. c. 16. An act for the better regulating the election of members to serve in the House of Commons, for that part of Great Britain called Scotland; and for incapacitating the judges of the Court of Session, Court of Justiciary, and barons of the Court of Exchequer, in Scotland, to be elected, or to sit or vote as members of the House of Commons.

8 Geo. 2. c. 6. An act for the public registering of all deeds, conveyances, and wills, and other incumbrances, that shall be made of, or that may affect, any honours, manors, lands, tenements, or hereditaments, within the North Riding of the county of York, after the nine

and twentieth day of September, One thousand seven hundred and thirty-six.

8 Geo. 2. c. 30. An act for regulating the quartering of soldiers during the time of election of members to serve in Parliament.

9 Geo. 2. c. 38. An act to explain and amend so much of Stat. 2 Geo. 2. chap. 24. as relates to the commencing and carrying on of prosecutions grounded upon the said act.

13 Geo. 2. c. 7. An act for naturalizing such foreign Protestants, and others therein mentioned, as are settled, or shall settle, in any of his Majesty's colonies in America.

15 Geo. 2. c. 22. An act to exclude certain officers from being members of the House of Commons.

16 Geo. 2. c. 11. An act to explain and amend the laws touching the election of members to serve for the Commons in Parliament, for that part of Great Britain called Scotland; and to restrain the partiality, and regulate the conduct of returning officers at such elections.

18 Geo. 2. c. 18. An act to explain and amend the laws touching the elections of knights of the shire to serve in Parliament for that part of Great Britain called England.

19 Geo. 2. c. 28. An act for the better regulating of elections of members to serve in Parliament for such cities and towns in that part of Great Britain called England, as are counties of themselves.

20 Geo. 2. c. 44. An act to extend the provisions of Stat. 13 Geo. 2. chap. 7. to other foreign Protestants who conscientiously scruple the taking of an oath.

22 Geo. 2. c. 44. An act to enable such officers, mariners, and soldiers, as have been in his Majesty's service since his accession to the throne, to exercise trades.

31 Geo. 2. c. 14. An act for farther explaining the laws touching the electors of knights of the shire to serve in Parliament for that part of Great Britain called England.

33 Geo. 2. c. 20. An act to enforce and render more effectual the laws relating to the qualification of members to sit in the House of Commons.

2 Geo. 3. c. 25. An act for naturalizing such foreign Protestants as have served, or shall serve for the time therein mentioned, as officers or soldiers in his Majesty's royal American regiment, or as engineers in America.

13 Geo. 3. c. 15. An act to prevent occasional freemen from voting at elections of members to serve in Parliament for cities and boroughs.

13 Geo. 3. c. 24. An act to prevent fraudulent and occasional votes in the elections of knights of the shire, and of members for cities and towns which are counties of themselves, so far as relates to the right of voting, by virtue of an annuity or rent-charge.

10 Geo. 3. c. 6. An act to regulate the trial of controverted elections, or returns of members to serve in Parliament.

10 Geo. 3. c. 41. An act to enable the Speaker of the House of Commons to issue his warrants to make out new writs for the choice of members to serve in Parliament, in the rooms of such members as shall die during the recess of Parliament.

11 Geo. 3. c. 42. An act to explain and amend the above acts of 10 Geo. 3. c. 6.

11 Geo. 3. c. 55. An act to incapacitate John Burnett, and sixty-seven others by named from voting at elections of members to serve in Parliament, and for the preventing bribery and corruption in the election of members to serve in Parliament, for the borough of New Shoreham, in the county of Sussex.

1st 14 Geo. 3. ch. 15. An act for making perpetual Stat. 10 G. 3. ch. 16. and 11 G. 3. ch. 12.

14 Geo. 3. ch. 15. An act for repealing an act, made in the first year of the reign of King Henry the fifth, and so much of several acts of the eighth, tenth, and twenty-third years of King Henry the sixth, as relates to the residence of persons to be elected members to serve in Parliament, or of the persons by whom they are to be chosen.

14 Geo. 3. c. 11. An act for altering and amending Stat. 16 G. 2. c. 11. by altering the time of notice, ordered by the said act to be given, in the service of complaints to the courts of Session, of wrongs done in elections, and by regulating the manner, and settling the place, of election of a burghs to serve in Parliament for a district of burghs. In Scotland, when the election of the magistrates and council of a burgh, which ought in course to be the presiding burgh at an election, happens to be reduced, and made void, by a decree of the court of Session, and not revived by the Crown, when such election is made.

19 Geo. 3. ch. 41. An act to explain and amend 10 Geo. 3. ch. 41. and for enabling the Speaker

of the House of Commons to make out new writs for the choice of members to serve in Parliament, in the room of such members as shall, during the recess of Parliament, become Peers of Great Britain, and be summoned to Parliament; and for suspending the execution of the said act, with respect to the borough of Shaftesbury, in the county of Dorset, during the next recess of Parliament.

20 Geo. 3. c. 17. An act to remove certain difficulties, relative to voters at county elections.

GEORGE the Third, by the grace of God, of Great Britain, &c. To our right trusty, and right well-beloved Edward Lord Thurlow, Lord High Chancellor of our kingdom of Great Britain, greeting. Whereas, We, by the advice of our Privy Council, for certain and urgent causes concerning Us, the good estate and commonwealth of this our realm, and of the Church of England, and for the good order and continuance of the same, have appointed and ordained a Parliament to be holden at our City of Westminster, the day of next ensuing, in which case divers and sundry writs are to be issued forth, under our Great Seal

was the first of the House of Commons to make one
 - *Forms of the Warrant for issuing Parliamentary*
Writs, the Writ of Summons, and Writ to the
Sheriffs, and also Copies of Oaths taken by the
Electors and Candidates at the Election of a
Member of Parliament, and of the Oaths and
Administration to the Representatives of the People,
upon taking their Seats in the House of Com-
mons.

was the first of the House of Commons to make one
 - *Warrant for issuing Parliamentary Writs.*

GEORGE the Third, by the grace of God,
 of Great Britain, &c. To our right trusty, and
 right well-beloved Edward Lord Thurlow,
 Lord High Chancellor of our kingdom of Great
 Britain, greeting. Whereas, We, by the ad-
 vice of our Privy Council, for certain and ur-
 gent causes concerning Us, the good estate and
 commonwealth of this our realm, and of the
 Church of England, and for the good order and
 continuance of the same, have appointed and
 ordained a Parliament to be holden at our City
 of Westminster, the day of
 next ensuing, in which case diverse and sundry
 writs are to be issued forth, under our Great

Seal of Great Britain, as well for the prelates, bishops, and nobility, of this our realm, as also for the election of knights, citizens, and burgesses, of the several counties, cities, and boroughs, and towns of the same, to be presents at the said Parliament at the day and place aforesaid; whereupon We will and command your forthwith, upon the receipt hereof, and by warrant of the same, to cause such and so many writs to be made and sealed under our Great Seal, for the accomplishing of the same, as in like cases hath been heretofore used and accustomed: and this bill, signed with our own hand, shall be as well unto you as to every such clerk and clerks as shall make and pass the same, a sufficient warrant or discharge in that behalf given.

Form of the Lord Steward's Deputation on a new Parliament.

William Earl Talbot, Lord Steward of his Majesty's household, and one of his Majesty's most honourable Privy Council, to all to whom these presents shall come, Know ye, that I the said Lord Steward, by virtue of my said office of Lord Steward, have constituted, named,

and appointed, and by these presents do constitute, name, and appoint, [about three score and fifteen noblemen and gentlemen] or any six, five, four, three, two, or one of them, my deputy and deputies, in my place and stead, to tender and administer the oaths mentioned in a statute made in the first year of the reign of their late Majesties King William and Queen Mary, entitled, "An Act for removing and preventing all Doubts and Disputes concerning the assembling and sitting of this present Parliament," according to the directions of the said statute, and of all and every other statute and statutes, directing the taking the said oaths before me, to all and every person and persons, who is, are, or shall be elected or appointed a knight, citizen, burghess, baron of any of the five ports, or commissioners for the shires or burghs of the present Parliament, appointed to meet the ~~day of~~ ^{the said} ~~the said~~ and to take and receive the oaths of all and every the said person and persons, who is, are, or shall be, elected or appointed a knight, citizen, burghess, baron of any of the five ports, or commissioner for the shire or burghs aforesaid, for the said Parliament; also, to tender and administer the oath mentioned in a statute made the seventh ~~the~~ year

by ~~year~~ of the reign of his late Majesty, intituled
 by ~~an Act~~ for the better regulating the Election
 of Members to serve in the House of Com-

mons, for that Part of Great Britain called
 Scotland, and for incapacitating the Judges
 of the Court of Session, ^{hereafter has been} Court of Judicary,
 and Barons of the Court of Exchequer, in
 Scotland, to be elected, or to sit or vote as

Members of the House of Commons," ac-
 cording to the directions of another statute made
 in the sixteenth year of his late Majesty's reign,

directing the said oath to be taken before me;
 by all and every person and persons, who is, are,
 or shall be chosen, a member to serve in Parlia-
 ment for any Shire or County, within that part

of Great Britain called Scotland, and who was not;
 were not, or shall not, be present at the day of

election; and to take and receive the oath of
 all and every such person and persons, giving

them, my said deputies, six, five, four, three,
 or two, or one of them, full power and authority to

execute and perform the matters therein mention-
 ed, ratifying and confirming all and whatsoever

my deputies or deputy shall lawfully do and per-
 form in this behalf, in as ample, perfect, and full

manner, as if I myself had been personally present,
 and done the same, in testimony whereof, the

by ~~his~~ said

Said Lord Steward have hereunto set my hand and
 seal, this day of in the twentieth year
 of the reign of, &c. and in the year of our Lord
 one thousand seven hundred and eighty.

Scaled and delivered
 (being first duly stamped)

TALBOT (L.S.)

N^o B. The form to be met with in the printed Journals
 of the House of Commons, we think is injudiciously drawn
 up, and have therefore presumed to alter it in the above.

Writ of Summons.

George the Third, by the grace of God, of
 Great Britain, &c. to his most noble cousin,
 Hugh, Duke of Northumberland, &c. greeting.
 Inasmuch as by the advice and consent of our
 Privy Council, We have ordained our Parlia-
 ment to be held at Our city of Westminster,
 on the day of next ensuing, by
 reason of some arduous and urgent affairs con-
 cerning Us, the state and defence of our king-
 dom of Great Britain and church of England,
 to have conference and treaty with you and the
 Prelates, Bishops and Peers of our said king-
 dom, We firmly enjoin you, upon the faith
 and

and allegiance in which you are bound to Us, that taking into consideration the weightiness of the said affairs, and the imminent dangers, laying aside all excuse, you be personally present on the said day and place, with Us, and the Prelates, Bishops, and Peers aforesaid, to treat and give your advice on the said affairs; and this you are in no wise to omit, as you love Us, our honour and safety, and the defence of the aforesaid kingdom and church, and the dispatch of the aforesaid affairs; witness Ourselves at Westminster the day of in ——— Year of our reign.

The Writ to the Sheriff, on a general Election.

George the Third, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, to the Sheriff of the county of Oxford greeting. Whereas, by the advice and assent of our Council, for certain arduous and urgent affairs concerning Us, the state and defence of our kingdom of Great Britain and the Church, We have ordered a certain Parliament to be holden at our City of Westminster, on the twenty-ninth day of November next ensuing, and there to treat and have

confe-

conference with the prelates, great men, and
peers of our realm, We command and strictly
enjoin you, that (proclamation being made of
the day and place aforesaid, in your next coun-
ty court to be holden after the receipt of this
our writ) two knights of the most fit and dis-
creet of the said county, gift with swords, and
of the University of Oxford two burgeses,
and of every city of that county two citizens,
and of every borough in the same county two
burgeses, of the most sufficient and discreet,
freely and indifferently by those, who at such
proclamation shall be present, according to the
form of the statutes in that case made and pro-
vided, you cause to be elected; and the names
of those knights, citizens, and burgeses, so to
be elected, (whether they be present or absent)
you cause to be inserted in certain indentures to
be thereupon made between you and those who
shall be present at such election, and then at the
day and place aforesaid you cause to come, in
such manner that the said knights, for them-

* The writs to the sheriff are all in the same form, ex-
cept that in *this*, and in *that* to the sheriff of Cambridge-
shire, there is a clause for the election of members for the
respective Universities. — Dougl. Hist. Contriv. Elec. 430.

comes

selves

selves and the commonalty of the same county,
 and the said citizens and burgesses, for themselves
 and the commonalty of the said Universities,
 cities, and boroughs respectively, may have
 from them full and sufficient power to do and
 consent to those things which then and there,
 by the Common Council of our said kingdom,
 (by the blessing of God) shall happen to be or-
 dained upon the aforesaid affairs, so that for want
 of such power, or through an imprudent elec-
 tion of the said knights, citizens, or burgesses,
 the aforesaid affairs may in no wise remain un-
 finished; willing nevertheless, that neither you
 nor any other sheriff* of this our said kingdom

* This clause seems almost decisive in favour of a mem-
 ber who is expelled the House of Commons, being eligible
 notwithstanding; because an expelled member as well as a
 sheriff would have been expressly excepted in the writ, had
 both been ineligible. It is said, that infants and women are
 not eligible, and yet are not excepted by the writ. True;
 but the reason for the omission seems to be, that they are ex-
 pressly excepted by law, and therefore the returning officer
 is bound to take notice of their ineligibility. And though it
 may be argued, that even the writ of election does not make
 the law, however, it is submitted, that a clause which has
 existed in the writ almost ever since the Parliament itself
 has existed, in its present form, is certainly the most satis-
 factory evidence of the law. — See 4 Dougl. Hist. Con-
 tract. Elected. 130.

be

be in any wise elected, and that the election in
your full county, so made distinctly and openly
under your seal and the seals of those who shall
be present at such election, you do certify to Us
in Our Chancery, at the day and place aforesaid,
without delay, remitting to Us one part of the
aforesaid indentures annexed to these presents,
together with this writ. Witness Ourself at
Westminster, the first day of October, in the
fourteenth year of Our reign. — Dougl. Hist.
Controv. Elect. 448.

*The Form of the Oath of Allegiance appointed by
W. & M. ch. 1. sect. 6.*

I A. B. do sincerely promise and swear, that
I will be faithful, and bear true allegiance to their
Majesties King William and Queen Mary.

So help me God.

*The Form of the Oath of Supremacy appointed
by the same Stat. sect. 7.*

I A. B. do swear, that I do from my heart ab-
hor, detest, and abjure, as impious and heretical,
that damnable doctrine and position, That princes
excommunicated or deprived by the Pope, or

any

any authority of the Sec of Rome, may be de-
 posed or murdered by their subjects, or any other
 whatsoever. And I do declare that no foreign
 prince, person, prelate, state, or potentate, hath,
 or ought to have, any jurisdiction, power, su-
 periority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm.

Son help me God
The Form of the Declaration of Test, appointed
 by stat. 39. ch. 2. stat. 2. ch. 1. sec. 3.

I A. B. do solemnly and sincerely, in the
 presence of God, profess, testify, and declare,
 That I do believe that in the sacrament of the
 Lord's supper, there is not any transubstantia-
 tion of the elements of bread and wine, into the
 body and blood of Christ, as or after the conse-
 cration thereof by any person whatsoever; and
 that the invocation or adoration of the Virgin
 Mary, or any other saint, and the sacrifice
 of the Mass, as they are now used in the
 Church of Rome, are superstitious and idola-
 trous; and I do solemnly, in the presence of
 God, profess, testify, and declare, that I do
 make this declaration, and every part thereof,
 in the plain and ordinary sense of the words
 read unto me, as they are commonly understood

by

English Protestants, without any evasion, equivocation, or mental reservation whatsoever, and without any dispensation already granted me for this purpose by the Pope, or any other authority or person whatsoever, or without any hope of any such dispensation from any person or authority whatsoever, or without thinking that I am or may be acquitted before God, or man, or absolved of this declaration, or any part thereof, although the Pope or any other person or persons, or power whatsoever, should dispense with, or annul the same, or declare that it was null or void from the beginning.

The Form of the Declaration of Fidelity, appointed to be made and subscribed by Quakers, by Stat. 8 Geo. 2: ch. 6. sec. 10.

I A. B. do solemnly and sincerely promise and declare, That I will be true and faithful to King George, and do solemnly, sincerely, and truly profess, testify and declare, That I do from my heart abhor, detest and renounce, as dangerous and heretical, that wicked doctrine and position, That princes excommunicated or deprived by the Pope, or any authority of the See of Rome, may be deposed or murdered by their

D d

subjects,

subjects, or any other whatsoever. And I do declare, that no foreign prince, person, prelate, state, or potentate, hath or ought to have any power, jurisdiction, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm.

Majesty King George, and him will be the utmost of my power, against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, or his crown, or his estate. *The Form of the Oath of Abjuration, as altered by stat. 1 Geo. stat. 2. ch. 13. sect. 1. to be taken after the Demise of Queen Anne, and as the same is now to be taken.*

I A. B. do truly and sincerely acknowledge, profess, testify, and declare in my conscience, before God and the world, that our Sovereign Lord King George is lawful and rightful King of this realm, and all other his Majesty's dominions, and countries thereunto belonging. And I do solemnly and sincerely declare, that I do believe in my conscience, that the person pretended to be Prince of Wales during the life of the late King James, and since his decease pretended to be, and taking upon himself the stile and title of King of England, by the name of James the Third, or of Scotland, by the name of James the Eighth, or the stile and title of King of Great Britain, hath not any right or title

title whatsoever to the crown of this realm, or
 any other the dominions thereto belonging :
 and I do renounce, refuse, and abjure any alle-
 giance or obedience to him. And I do swear,
 that I will bear faith and true allegiance to his
 Majesty King George, and him will defend to
 the utmost of my power, against all traiterous
 conspiracies and attempts whatsoever which
 shall be made against his person, crown, or dig-
 nity. And I will do my utmost endeavour to
 disclose and make known to his Majesty and his
 successors, all treasons and traiterous conspira-
 cies which I shall know to be against him, or
 any of them. And do faithfully promise to the
 utmost of my power to support, maintain, and
 defend the succession of the crown against him,
 the said James; and all other persons whatso-
 ever; which succession, by an act, intitled,
 "An Act for the further Limitation of the
 Crown, and better securing the Rights and
 Liberties of the Subject" is, and stands, li-
 mited to the Princess Sophia, Electress and
 Duchess Dowager of Hanover, and the heirs
 of her body, being Protestants; and all these
 things I do plainly and sincerely acknowledge
 and swear, according to these express words by
 me spoken, and according to the plain and com-

inon sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever; and I do make this recognition, acknowledgment, abjuration, renunciation, and promise, heartily, willingly, and truly, upon the true faith of a Christian.

So help me, God.

The Form in which the Effect of the Abjuration is to be taken by Quakers, appointed by Nat. & Geo. ch. 6. sect. 1.

I A. B. do solemnly, sincerely, and truly acknowledge, profess, testify, and declare, that King George is lawful and rightful King of this realm, and of all other his dominions and countries thereunto belonging; and I do solemnly, and sincerely declare, that I do believe the person pretending to be the Prince of Wales, during the life of the late King James, and since his decease, pretending to be, and taking upon himself the stile and title of the King of England, by the name of James the Third, or of Scotland, by the name of James the Eighth, or the stile and title of the King of Great Britain, hath not any right or title whatsoever to the crown of this realm, nor any other the dominions there.

thereunto belonging: and I do renounce and refuse any allegiance or obedience to him: and I do solemnly promise, that I will be true and faithful, and bear true allegiance to King George, and to him will be faithful against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, crown, or dignity; and I will do my best endeavour to disclose and make known to King George, and his successors, all treasons and traitorous conspiracies which I shall know to be against him or any of them: and I will be true and faithful to the succession of the crown against him, the said James, and all other persons whatsoever, as the same is and stands settled by an act, intitled, "An Act declaring the Rights and Liberties of the Subjects, and settling the Succession of the Crown to the late Queen Anne, and the heirs of her body, being Protestants: and as the same, by one other act, intitled, "An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject," is, and stands settled and intailed, after the decease of the said late Queen, and for default of issue to the said late Queen, to the late Princess Sophia, Electress and Duchess Dowager of Hanover, and the heirs of her bo-

The Elector's Oath to be taken by 2 Geo. 2.

ch. 24. sect. 1.

I A. B. do swear (or, being one of the people called Quakers, I A. B. do solemnly affirm) I have not received, or had by myself, or any person whatsoever in trust for me, or for my use and benefit, directly or indirectly, any sum or sums of money, office, place, or employment, gift or reward, or any promise or security for any money, office, employment, or gift, in order to give my vote at this election; and that I have not before been polled at this election.

The Freeholder's Oath appointed by 18 Geo. 2.

ch. 18. sect. 1.

You shall swear, (or, being one of the people called Quakers, you shall solemnly affirm) that you are a freeholder in the county of _____ and have a freehold estate, consisting of _____ (specifying the nature of such freehold estate, whether messuage, land, rent, tythe, or what else; and if such freehold estate consists in messuages, lands, or tithes, then specifying in what

occupation the same are ; and if in rents, then specifying the names of the owners or possessors of the lands or tenements out of which such rent is issuing, or of some or one of them) lying or being at, in the county of of the clear yearly value of forty shillings, over and above all rents and * charges payable out of or in respect of the same ; and that you have been in the actual possession or receipt of the rents and profits thereof for your own use, above twelve calendar months, or that the same came to you within the time aforesaid, by descent, marriage, marriage settlement, devise, or promotion to a benefice in a church, or by promotion to an office ; and that such freehold estate has not been granted or made to you fraudulently, on purpose to qualify you to give your vote ; and that the place of your abode is at in and that you are twenty-one years of age, as you believe ; and that you have not been polled before at this election.

* No public or parliamentary tax, church or parish rate or any other tax to be assessed upon any county or division, shall be deemed any charge payable out of any freehold estate within the meaning of this oath or affirmation.

granted

The

ment, and if in rents, then occupation the same are; and if in rents, then
*The Freeholder's Oath for Cities and Towns, ap-
 pointed by 19 Geo. 2. ch. 28. sect. 1.*

You shall swear, (or, being a Quaker, you shall solemnly affirm) that you have a freehold estate, consisting of (specifying the nature of such freehold estate, whether messuage, land, rent, tythe, or what else; and if such freehold estate consists in messuages, lands, or tenements, then specifying in whose occupation the same are; and if rent, then specifying the names of the owners or possessors of the lands or tenements out of which such rent is issuing, or of some or one of them) lying or being in the city and county, or town and county (as the same may be) of the clear yearly value of forty shillings, over and above all rents and charges payable out of or in respect of the same; and that you have been in the actual possession or receipt of the rents and profits thereof, for your own use, above twelve calendar months; or that the same came to you within the time aforesaid, by descent, marriage, marriage settlement, devise, or promotion to a benefice in a church, or by promotion to an office; and that such freehold estate has not been granted

granted or made to you fraudently, on purpose
to qualify you to give your vote; and that the
place of your abode is at in
and that you are twenty-one years of age, as you
believe; and that you have not been polled be-
fore at this election.

*Writ for new Election of one Citizen for the
City of Westminster.*

George the Third, by the grace of God,
of Great Britain, France, and Ireland, King,
Defender of the Faith, &c. To our Sheriff of
the county of Middlesex, Greeting. Whereas Sir P.
W. Knight, of the most honourable order of
the Bath, was lately chosen one of the citizens
for the city of W. in your county, for our
present Parliament, summoned to be holden at
our city of W. the day of
in the year of our reign, and from
thence by our several writs prorogued to and
until the day of in the same
year, on which day our said Parliament was
begun and held, and from thence by several
adjournments and prorogations was adjourned
and prorogued unto this day of
and there now holden, and
whereas

whereas the said Sir P. W. being so chosen a
citizen for the said city as aforesaid, is since
dead, as by a letter of our right trusty and well
beloved counsellor Sir ———, speaker of our
lower House of Parliament, more fully and
plainly appears, by means whereof our subjects
of the said city are deprived of one citizen to
trust for the benefit of the same city in our
said Parliament: Nevertheless, We being un-
willing that the commonalty of our kingdom
in our said Parliament assembled, to treat of
business concerning Us, the state and defence
of our kingdom and the church, from the afore-
said cause should be diminished or lessened,
whereby those affairs may not have a due end,
We command you, that in the place of Sir P.
W. within the city aforesaid, one other fit and
discreet citizen of the aforesaid city (proclama-
tion being first made of the premises, and of the
day and place) freely and indifferently, by those
who shall be present at the proclamation, ac-
cording to the form of the statute in that case
made and provided, you cause to be elected, and
the name of such citizen (whether at the said
election he shall be present or absent) to be in-
serted in certain indentures to be thereupon made
between you and them, who shall be present at
such

such election, and to cause him to come to the
 said Parliament, so that the same citizen, so to
 be elected, may have full power and sufficient
 authority, for himself and the commonalty of the
 aforesaid city, to do and consent to those things
 which in our Parliament aforesaid, by the com-
 mon-council of our realm, (by the blessings of
 God) shall happen to be ordained upon the
 aforesaid affairs; willing, nevertheless, that nei-
 ther you nor any other * sheriff in this our
 kingdom in any wise be elected; and the elec-
 tion so made, distinctly and openly under your
 seal, and the seals of them who shall be present
 at such election, certify unto us in our chancery
 forthwith, remitting to us one part of the afore-
 said indentures annexed to these presents, toge-
 ther with this writ. Witness ourself at West-
 minster, the day of
 in the year of our reign.

Yorke and Yorke.
 Wrote upon the label to the said writ as follow-
 ing, viz.
 To the sheriff of the county of M. A Writ
 for a new election of one citizen for the city of
 of W. Yorke and Yorke.
 The

The execution of this writ appears in certain
schedules hereunto annexed.

R. S. Esq;

and

Sheriff.

S. L. Esq;

Precept from Sheriff of M. to the Bailiff of W.
for the Election of one Citizen for the said City

Middlesex, Sir C. A. Knight, and Sir R. G.
Knight, Sheriff of the said county, to the bailiff
of the liberty of the dean and chapter of the
collegiate church of St. Peter, at W. in the said
county, greeting. Know, that I have received
a certain writ of our Lord the King to me di-
rected, the tenor whereof followeth, [here fol-
lows the writ verbatim] and because the execution
of the said writ belongs to you, therefore by vir-
tue of the said writ, I require you, that you forth-
with cause a citizen to be elected for the said city in
the place of the said P. W. according to the com-
mand of the said writ; and how this my war-
rant shall be executed, you shall make known to
me, immediately after the said election made, so
that I may certify the same, together with the
said writ, and this precept return to our Lord

the

the King, in his chancery forthwith. Hereof
 said not: this is your warrant. Given under
 the seal of my office, dated the xviij day of
 November one thousand seven hundred and
 eight.

The execution of this precept appears in a certain
 schedule hereunto annexed.

J. C. Esq; Bailiff.

The Indenture of Election

This Indenture made in the liberty of W. in
 the county of M. the day of the first of the
 year of the reign, &c. between Sir
 C. A. knight, and Sir R. G. knight, sheriff of the
 county of M. aforesaid, of the one part; and J.
 G. esq; bailiff of the liberty of the dean and
 chapter of the collegiate church of St. Peter's W.
 in the county aforesaid, Sir J. G. bart; Sir R. G.
 bart; Sir C. D. knight of the most honourable
 order of the Bath; the Hon. W. L. G. Esq; R.
 bart; the Right Hon. F. H. Esq; commonly called
 Lord Viscount D. B. F. and N. H. Esq; F. F.
 Esq; Sir W. L. bart; C. B. Esq; J. G. Esq; and
 many other citizens, burgesses, and inhabitants
 of the city, town and borough of W. of the
 other

To other part, witnesseth, that by virtue of a cer-
 tain precept directed from the said Sheriff to the
 bailiff, and sewed to this indenture, (proclama-
 tion of the premises in said precept first mention-
 ed, and of the day and place, as in the said pre-
 cept is directed, first being made) the citizens
 who were present at the said proclamation, have
 freely and indifferently, according to the form
 of the statute in that case made and provided,
 and according to the tenor and effect of the
 aforesaid precept, and of the writ in the said pre-
 cept recited, chosen one citizen of the most dis-
 creet and sufficient of the city and liberty aforesaid,
 (that is to say) the Honourable R. C. Esq;
 to whom said E. is so elected, the aforesaid citi-
 zens have given and granted full and sufficient
 power for themselves and the commonalty of
 the city, town, borough, and liberty aforesaid,
 to do and consent to those things which at the
 said Parliament, [by the common council of the
 said kingdom (with God's assistance)] shall hap-
 pen to be ordained upon the affairs in the said
 precept specified, according to the form and ef-
 fect of the said precept. In witness whereof, as
 well the said Sheriff as the aforesaid bailiff, citi-
 zens, burgesses, and inhabitants of the city,
 town, borough, and liberty aforesaid, to these
 other

inden-

indentures their seals have interchangeably put, the day and year first above mentioned.

The Form of the Candidates Oath to be taken (if required) by Stat. 9 Ann. ch. 5. sec. 5.

I A. B. do swear, that I truly, and *bona fide*, have such an estate in law or equity, ~~to and for~~ my own use and benefit of or in lands, Tenements or hereditaments, (over and above what will satisfy and clear all incumbrances that may affect the same) of the annual value of six hundred pounds, above reprises, as doth qualify me to be elected and returned to serve as a member for the county of _____ according to the tenor and true meaning of the act of Parliament in that behalf; and that my said lands, tenements or hereditaments, are lying or being within the parish, township, or precinct of _____ or in the several parishes, townships, or precincts of _____ in the county of _____ or in the several counties of _____ (as the case may be.)

The like oath (*mutatis mutandis*) as to the value of three hundred pounds, to be taken by candidates for a city, borough, &c.

Oath

of the said lands, tenements, and hereditaments, belonging to the said John Earl of Moray, and John Earl of Hyndford, deceased, by open election and plurality of voices of the Peers, and shall then be present, and of the proxies of such as shall be present, (such proxies being legal and proper) and producing a mandate, in writing, duly signed before witnesses, and both consistent and proxy being qualified according to law. And the Lord Clerk Register, or other officer of the principal Clerk of the Session, shall be appointed by the said House of Peers, to sit in the House of Peers in the present Parliament of Scotland, to receive the oaths required by law to be taken there by the said Peers, and to take their votes, and immediately after the said election made

James Earl of Moray, and John Earl of Hyndford, deceased, by open election and plurality of voices of the Peers, and shall then be present, and of the proxies of such as shall be present, (such proxies being legal and proper) and producing a mandate, in writing, duly signed before witnesses, and both consistent and proxy being qualified according to law. And the Lord Clerk Register, or other officer of the principal Clerk of the Session, shall be appointed by the said House of Peers, to sit in the House of Peers in the present Parliament of Scotland, to receive the oaths required by law to be taken there by the said Peers, and to take their votes, and immediately after the said election made

GEORGE R.

Whereas J. Earl of M. and J. Earl of H. who were duly elected and returned to be two of the sixteen Peers of Scotland, to sit in the House of Peers in the present Parliament of Scotland, to receive the oaths required by law to be taken there by the said Peers, and to take their votes, and immediately after the said election made

to Great Britain, late since deceased, in order to
the electing two other Peers of Scotland, to sit
in their room, We do by the advice of our
Privy Council, issue forth this proclamation,
strictly charging and commanding all the Peers
of Scotland to assemble and meet at Holyrood
House in Edinburgh on Thursday the first day
of October next, between the hours of twelve
and two in the afternoon, to nominate and
choose two other Peers of Scotland, to sit and
vote in the House of Peers of this present Par-
liament of Great Britain, in the room of the
said James Earl of Moray, and John Earl of
Hyndford, deceased, by open election and plu-
rality of voices of the Peers that shall then be
present, and of the proxies of such as shall be
absent, (such proxies being Peers) and produc-
ing a mandate, in writing, duly signed before
witnesses, and both constituent and proxy being
qualified according to law. And the Lord
Clerk Register, or such two of the principal
clerks of the session as shall be appointed by
him to officiate in his name, are hereby re-
spectively required to attend such meeting, and
to administer the oaths required by law to be
taken there by the said Peers, and to take their
votes, and immediately after such election

made, and duly examined, to certify the names
of the Peers to be elected, and sign and attest the
same in the presence of the said Peers the elec-
tors; and to return such certificate into our
High Court of Chancery of Great Britain,
And we do strictly charge and command, that
this proclamation be duly published at the Mar-
ket Cross of Edinburgh, and in all the county
towns in Scotland, twenty-five days at least
before the time hereby appointed for the meet-
ing of the said Peers, to proceed on such elec-
tion.

Given at our Court at St. James's the
fifth day of January, one thousand seven
hundred and seventy four, in the four-
teenth year of our reign.

GOD save the KING

*The Formula appointed by Act of Parliament
made 8 & 9 Will. 3 in Scotland.*

I, A. B. do sincerely, from my heart, profess
and declare before God, who searcheth the
heart, that I do deny, disown, and abhor these
tenets and doctrines of the Papal Romish church,
viz. the supremacy of the Pope and Bishop of
Rome,

to certify the name
 Rome, over all pastors of the Catholic church,
 his power and authority over Kings, Princes
 and States, and the infallibility that he pretends
 to, either without or with a general council;
 his power of dispensing and pardoning, the
 doctrine of transubstantiation, and the corporal
 presence, with the communion without the
 cup in the sacrament of the Lord's supper, the
 adoration and sacrifice professed and practised
 by the Popish church in the mass, the invoca-
 tion of angels and saints, the worshipping of
 images, crosses, and reliques, the doctrine of su-
 pererogation, indulgences, and purgatory, and
 the service and worship in an unknown tongue;
 all which tenets and doctrines of the said church,
 I believe to be contrary to, and inconsistent
 with the written word of God; and I do from
 my heart deny, disown, and disclaim, the said
 doctrines and tenets of the church of Rome, as
 in the presence of God, without any equivoca-
 tion or mental reservation, but according to
 the known and plain meaning of the words,
 as to me offered and proposed.

So help me, God.

E e

The

ous, created or reserved in me, in order to enable me to vote for a member to serve in Parliament; but that the same is of no use and real estate in me, solely my own use and benefit, and for the use of no other person whatsoever; and that this is the truth as I believe in God.

and swear, that the lands and estate of which I claim a right to vote in the election for the

The Oath of the Electors of Scotland

appointed by 16 Geo. 2. c. 36. s. 2. s. 3. s. 4. s. 5. s. 6. s. 7. s. 8. s. 9. s. 10. s. 11. s. 12. s. 13. s. 14. s. 15. s. 16. s. 17. s. 18. s. 19. s. 20. s. 21. s. 22. s. 23. s. 24. s. 25. s. 26. s. 27. s. 28. s. 29. s. 30. s. 31. s. 32. s. 33. s. 34. s. 35. s. 36. s. 37. s. 38. s. 39. s. 40. s. 41. s. 42. s. 43. s. 44. s. 45. s. 46. s. 47. s. 48. s. 49. s. 50. s. 51. s. 52. s. 53. s. 54. s. 55. s. 56. s. 57. s. 58. s. 59. s. 60. s. 61. s. 62. s. 63. s. 64. s. 65. s. 66. s. 67. s. 68. s. 69. s. 70. s. 71. s. 72. s. 73. s. 74. s. 75. s. 76. s. 77. s. 78. s. 79. s. 80. s. 81. s. 82. s. 83. s. 84. s. 85. s. 86. s. 87. s. 88. s. 89. s. 90. s. 91. s. 92. s. 93. s. 94. s. 95. s. 96. s. 97. s. 98. s. 99. s. 100.

I, A. B. do solemnly swear, that I have not

directly or indirectly, by any means or other

device whatsoever, received any sum of money

money, office, place, employment, gratuity, or

reward, or any bond, bill, note, or any pro-

mise of any sum of money, office,

place, employment, or gratuity, whether

ther by myself or any other person, or be-

hind, or advantage, or to the use of which I am

magistrate, councillor, or other officer, in order to

give my vote at this election.

God.

whom I have acquired the said estate, or any

other person whatsoever; and that my title to

the said lands and estate is not nominal or ficti-

ous.

money, office, place, employment, gratuity, or

The Common Clerk's Oath in Scotland, appointed

by Geo. 2. ch. 1. sect. 1. 1733.

I A. B. do solemnly swear, that I have not

directly or indirectly, by way of loan, or other

device whatsoever, received any sum or sums of

money, office, place, employment, gratuity, or

reward, or any bond, bill, or note, or any pro-

mise of any sum or sums of money, office,

place, employment, or gratuity whatsoever, ei-

ther by myself or any other, to my use or bene-

fit, or advantage, to make out any commission

for a commissioner for chusing a burghs; and

that I will duly make out a commission to the

commissioner who shall be chosen by the major-

ity of the Town Council assembled, and to no

other person,

So help me, God,

I A. B. do solemnly swear, that I have not

Oath of the Clerk of the presbytery Borough in

Scotland, appointed by Geo. 2. ch. 1. 1733.

money, office, place, employment, gratuity, or

reward, or any bond, bill, or note, or any pro-

I A. B. do solemnly swear, that I have not

directly or indirectly, by way of loan, or other

device whatsoever, received any sum or sums of

money,

money, office, place, employment, gratuity, or
 reward, or any bond, bill, or note, or any pro-
 mise of any sum or sums of money, office,
 place, employment, or gratuity whatsoever, ei-
 ther by myself or any other, to my use, bene-
 fit, or advantage, to make any return at this
 election of a member to serve in Parliament; and
 that I will return to the sheriff or steward, the
 person elected by the major part of the com-
 moners assembled, whose commissions are au-
 thenticated by the subscription of the common
 clerk, and common seal, of the respective bo-
 roughs of this district.

*Oath of the Clerk at Elections for Counties in
 Scotland, appointed by 16 Geo. 2. ch. 11
 sect. 27.*

I A. B. do solemnly swear, that I have not
 directly or indirectly, by way of loan, or other
 device whatsoever, received any sum or sums of
 money, office, place, or employment, gratuity
 or reward, or any bond, bill, or note, or any
 promise of any sum or sums of money, office,
 place, employment, or gratuity whatsoever, by
 myself or any others to my use, benefit, or ad-
 vantage,

vantage, do take rank, return at the present elec-
 tion of a member to serve in Parliament, and
 that I will return to the Sheriff or Steward the
 person elected by the majority of the freeholders
 upon the roll made up at this election, and who
 shall be present and vote at this meeting of forty
 the clear yearly value of forty
 two shillings, above all rents and charges payable out
 of the same, wholly issuing out of freehold
 lands, tenements, or hereditaments, and being
 be taken by 2 Geo. 2. c. 24. sect. 3. A. B. do
 solemnly swear, that I have not
 directly or indirectly, received any sum or sums
 of money, office, place, or employment, gra-
 tuity, or reward, or any bond, bill, or note, or
 any promise or gratuity whatsoever, either by
 myself or any other person, to my use, benefit,
 or advantage, for making any return at the pre-
 sent election of members to serve in Parlia-
 ment; and that I will return such person or per-
 sons as shall, to the best of my judgment, ap-
 pear to me to have the majority of legal votes,

*The Certificate to be entered on Oath by Free-
holders, &c. with the Clerks of the Peace, in
pursuance of Stat. 3 Geo. 3. ch. 24. 1763.*
I, A. B. of the County of ... do hereby certify that the person
elected by the majority of the freeholders
of the County of ... is ... who
is seized of an annuity or rent-charge for my own
use and benefit of the clear yearly value of forty
shillings, above all rents and charges payable out
of the same, wholly issuing out of freehold
lands, tenements, or hereditaments, belonging
to C. D. of ... situate, lying, and being
in the parish, township, or place, or in the pa-
rishes, townships, or places of E. in the county
of ... without any trust, agreement,
matter or thing, to the contrary, notwithstand-
ing; and I, or the person or persons under
whom I claim, was or were seized of the said
annuity or rent-charge, before the first day of
June, one thousand seven hundred and sixty-
three.

*The Certificate to be entered on Oath by Free-
holders, &c. with the Clerks of the Peace, in
pursuance of Stat. 3 Geo. 3. ch. 24. 1763.*

I A. B. of ... am really and bona fide
seized of an annuity or rent-charge, for my own
use

use and benefit, of the clear yearly value of
 forty shillings, above all rents and charges pay-
 able out of the same, wholly issuing out of
 freehold lands, tenements, or hereditaments, be-
 longing to O. D. of ^{situate, lying, and}
 being in the parish, township, or place, or in
 the parishes, townships, or places of ^{the}
 in the county of ^{without any trust,}
 agreement, matter, or thing to the contrary
 notwithstanding; and I became seized of the
 said annuity or rent-charge on the ^{Day}
 of ^{last} past, by descent or otherwise (and
 the case may happen.)

county of York, which began on Wednesday the
 17th day of July last, the petitioner and ^{John}
The Returning Officer's Oath, to be taken by a
 Geo. 2, ch. 24, sect. 5.

I A. B. do solemnly swear, that I have not,
 directly nor indirectly, received any sum or sums
 of money, office, place, or employment, gra-
 tuity or reward, or any bond, bill, or note, or
 any promise or gratuity whatsoever, either by
 myself or any other person to my use, or bene-
 fit, or advantage, for making any return at the
 present election of members to serve in Parlia-
 ment; and that I will return such person or per-
 sons

consent shall, in the best of my judgment, appear to me to have the majority of legal votes.

Notice to Petitioner and sitting Member, of taking into Consideration Petition complaining of undue Election or Return; with Order to attend the House, pursuant to Stat. 18 Geo. 3. chap. 1. 10. Sec. 1.

Sir *James Penniman*, Baronet, having this day presented his petition, complaining that at the last election of a burgess to serve in Parliament for the borough of *Scarborough*, in the county of *York*, which began on *Wednesday* the 11th day of *July* last, the petitioner and *Ralph Bell*, Esq. were candidates, and that the said *Ralph Bell* was then incapable of being elected to serve in Parliament; and that the petitioner was on the said election duly chosen by a majority of legal votes, and ought to have been solely returned by *Francis Goulson* and *John Trevis*, Esquires, the then Bailiffs and returning officers in the said borough; nevertheless, the said bailiffs having illegally received divers votes for the said *Ralph Bell*, from persons who had no right to vote in the said election, returned the said *Ralph Bell*, and also the petitioner, as

duly

only. And for the said brought, contrary to
the law requiring fair and free elections, in im-
bination of the rights of the electors, and to the
great injury of the petitioner, and the House
having appointed this day fortnight, at two of
the clock, to take the said petition into conside-
ration; you are therefore to take notice, that the
House will at that time take the same petition
into consideration. Given under my hand
this * 15th day of November, 1770.

Fletcher Norton, Speaker.

Mr. James Pennymann, Baronet, for

The like Notice to Ralph Bell, Esquire.

Ordered, That James Pennymann, Baronet, do,

by himself, his counsel, or agent, attend this
House upon this day fortnight, at two of the
clock, to take the said petition into conside-
ration; in the tenth year of the reign of his Majesty

J. Hall, Esq. Dom. Com.

“ At to enable the Speaker of the House of
Commons to issue his Warrants, to make out

The Form of the Oath by which an Excuse is to
be verified, in pursuance of Stat. 10 Geo. 3.

“ Members as shall die during the recess of
Parliament, shall be sworn as follows:—

The matter alleged by you, and now
taken down and read, as an excuse for not

the

serving

only that which is in the truth. So
the law requiring fair and free election of the electors, and to the
great injury of the electors, and the House
having appointed a day for the election, at two of
the clock, to take the said petition into consid-
eration, you are therefore to take notice that the
matter of the petition of *A. B.* referred to
the House will at that time take the same petition
you, and a true judgment give, according to the
evidence. So help you God.

this * 15th day of November, 1770.

Fletcher Norton, Speaker.
The Speaker's Notice that he shall issue his War-
rant for the choice of Members by Death,

during the Recess of Parliament, in pursuance
of Stat. 10 Geo. 3. c. 41. and 15 Geo. 3.

Ordered, That James Penman, Barret's do-
by himself, his counsel, or agent, attend the
House upon this day for the election of two of the

in the tenth year of the reign of his present
Majesty King George the Third, intituled, "An

" Act to enable the Speaker of the House of
" Commons to issue his Warrants, to make out

new Writs for the choice of Members to
serve in Parliament, in the room of such

" Members as shall die during the Recess of
" Parliament." I do hereby give notice, that

See Dougl. Hist. contriv. Elect. 52.
the Dougl. Hist. contriv. Elect. 54.

leaving

the

the death of John Glynn, * Esq. late Member
of Parliament for the county of Middlesex, hath
been certified to me in writing, under the hands
of two Members of Parliament; And that I
shall issue my warrant to the Clerk of the Crown
to make out a new writ for the electing of a
Knight of the Shire to serve in this present Par-
liament for the said county of Middlesex, in the
room of the said John Glynn, * Esq. deceased,
at the end of fourteen days after the insertion of
this notice in the Gazette. Dated the twenty-
fifth day of September, one thousand seven hun-
dred and seventy-nine. *El. Norton, Speaker.*

The like Notice on a Vacancy by Peerage.
In pursuance of the directions of an Act passed
in the fifteenth year of the reign of his present
Majesty King George the Third, intituled, "An
Act to explain and amend an Act made in the
tenth Year of the Reign of his present Ma-
jesty, intituled, *An Act to enable the Speaker
of the House of Commons to issue his War-
rants to make out new Writs for the Choice
of Members to serve in Parliament, in the
room of such Members as shall die during the
Recess of Parliament, and for enabling the
Speaker to require be Serjeant at Law*
E c " Speaker

“ Speaker of the House of Commons to make
 “ out new Writs for the Choice of Members to
 “ serve in Parliament, in the room of such
 “ Members as shall, during the Recess of Par-
 “ liament, become Peers of Great Britain, and
 “ be summoned to Parliament; and for suspend-
 “ ing the Execution of the said Act with respect
 “ to the Borough of Shaftesbury in the County
 “ of Dorset, during the next Recess of Par-
 “ liament;” I do hereby give notice, that it hath
 been certified to me in writing, under the hands
 of two Members of Parliament, that the Hon.
 George Nugent Grenville, late Member of Par-
 liament for the county of Buckingham, is be-
 come a Peer of Great Britain, and summoned to
 Parliament; and that I shall issue my warrant
 to the Clerk of the Crown to make out a new
 writ for the electing of a Knight of the Shire to
 serve in this present Parliament for the said
 county of Buckingham, in the room of the said
 Hon. George Nugent Grenville, now a Peer of
 Great Britain, and summoned to Parliament as
 aforesaid, at the end of fourteen days after the
 insertion of this notice in the Gazette. Dated
 the 24th day of September, one thousand seven
 hundred and seventy-nine.

Fletcher Norton, Speaker.

no. 12. 22. 2

F f

Form

Form of Assessment referred to in Stat. 20 Geo. 3.

C. 17. L. 3.

County of N. to wit. } An assessment made in
 For the parish of } pursuance of an Act of
 in the said county. } Parliament passed in the
 Year of his Majesty's
 Reign, for granting an Aid to his Majesty by a
 Land Tax, to be raised in Great Britain, for the
 service of the Year one thousand seven hundred
 and

Names of Proprietors. Names of Occupiers. Sums assessed.

A. B. — — Himself. — — 0 0 0

A. B. — — C. D. — — 0 0 0

E. F. — — C. D. — — 0 0 0

C. D. — — G. H. — — 0 0 0

J. K. } — — — — —

and } — — N. O. — — 0 0 0

L. M. } — — — — —

P. Q. — — { R S. } — — 0 0 0

{ and } — — 0 0 0

{ T. U. } — — 0 0 0

Signed this Day of

17 by us

A. B. } Affessors.

C. D. }

Succession

Succession of Parliaments.

First Parliament since the Restoration.

Sat on business.

Dissolved.

1 Session, 25 April, 1660

29 December, 1660

Sir HARBOTTLE GRIMSTON, Bart. Speaker.

Second, summoned for 8th May, 1661.

Sat on business.

Prorogued.

1 Session, 8 May, 1661

30 July, 1661

2 Session, 18 Feb. 1662

19 May, 1662

3 Session, 18 Feb. 1663

24 Nov. 1663

4 Session, 16 March, 1664

17 May, 1664

5 Session, 24 Nov. 1664

12 Jan. 1665

6 Session, 9 October, 1665

31 Oct. 1665

7 Session, 21 Sept. 1666

26 Jan. 1667

8 Session, 10 October, 1667

8 May, 1668

9 Session, 19 October, 1669

11 Dec. 1669

10 Session, 10 Feb. 1670

22 April, 1671

11 Session, 4 Feb. 1672

29 March, 1673

12 Session, 20 October, 1673

30 Nov. 1673

13 Session, 7 Jan. 1674

24 Feb. 1674

F f 2

14 Session,

14 Session, 13 April, 1675	9 June, 1675
15 Session, 13 October, 1675	20 Nov. 1675
16 Session, 15 Feb. 1677	16 April, 1677
17 Session, 23 May, 1678	15 July, 1678
18 Session, 18 October, 1678	30 Dec. 1678

Diffolved 24th January, 1679.

	Sir Edward Turner, Knt.	} Speakers.
4 February, 1762	Sir Job Charlton,	
13	Edward Seymour,	
11 April, 1673	Sir Robert Sawyer,	
6 May	Edward Seymour,	

Third, summoned for 6th March, 1679.

Sat on business.

Prorogued.

1 Session, 6 March, 1678

15 March, 1679

Diffolved 10th July, 1679.

SERJEANT GREGORY, Speaker.

Fourth, summoned for 17th August, 1679.

Sat on business.

Prorogued.

1 Session, 22 October, 1679

10 January, 1681

Diffolved 18th January, 1681.

WILLIAM WILLIAMS, Speaker.

Fifth,

Fifth, summoned to meet at Oxford, 21st
March, 1681.

Sat on business.

Diffolved.

1 Session, 21 March, 1681.

28 March, 1681

WILLIAM WILLIAMS, Speaker.

Sixth, summoned for 12th March, 1685.

Sat on business.

Prorogued.

1 Session, 19 May, 1685

20 Nov. 1685

Diffolved 28th July, 1686.

Sir JOHN TREVOR, Speaker.

Convention, or seventh Parliament.

Summoned for 22d January, 1688.

Sat on business.

Prorogued.

1 Session, 22 January, 1688

21 October, 1688

2 Session, 18 Feb. 1689

27 January, 1690

Diffolved 26th February, 1690.

HENRY POWLE, Speaker.

Eight, summoned for 20th March, 1690.

Sat on business.

Prorogued.

1 Session, 20 March, 1690

23 May, 1690

2 Session, 2 October, 1690

5 Jan. 1691

3 Session, 22 October, 1691

24 Feb. 1692

4 Session, 4 November, 1692

14 March, 1693

F f 3

5 Session,

5 Session, 7 November, 1693 25 April, 1694

6 Session, 12 November, 1694 3 May, 1695

Diffolved 13th July, 1695.

Sir JOHN TREVOR, Speaker.

Ninth, summoned for 22d November, 1695.

Sat on business.

Prorogued.

1 Session, 27 November, 1695 27 April, 1696

2 Session, 20 October, 1696 16 April, 1697

3 Session, 3 December, 1697 5 July, 1698

Diffolved 7th July, 1698.

PAUL FOLEY, Speaker.

Tenth, summoned for 2d August, 1698.

Sat on business.

Prorogued.

1 Session, 6 December, 1698 4 May, 1699

2 Session, 16 November, 1699 10 Feb. 1700

Diffolved 19th December, 1700.

Sir THOMAS LYTTTELTON, Speaker.

Eleventh, summoned for 6th February, 1701.

Sat on business.

Prorogued.

1 Session, 16 February, 1701 24 June, 1701

Diffolved 11th November, 1701.

ROBERT HARLEY, Speaker.

Twelfth,

Twelfth, summoned for 30th Decr. 1701.

Sat on business.

Prorogued.

1 Session, 30 Decmber, 1701

25 May, 1702

Disolved 2d July, 1702.

ROBERT HARLEY, Speaker.

Thirteenth, summoned for 20th August, 1702.

Sat on business.

Prorogued.

1 Session, 20 October, 1702

27 Feb. 1703

2 Session, 9 November, 1703

7 Feb. 1704

3 Session, 29 October, 1704

14 March, 1705

Disolved 5th April, 1705.

JOHN SMITH, Speaker.

Fourteenth, summoned for 14th June, 1705.

Sat on business.

Prorogued.

1 Session, 25th October, 1705

19 March, 1706

2 Session, 3 December, 1706

24 April, 1707

First Parliament of Great Britain, constituted
by the Union.

Sat on business.

Disolved.

1 Session, 16 Nov. 1707

21 April, 1708

JOHN SMITH, Speaker.

Second, summoned for 8th July, 1708.

Sat on business.

Prorogued.

1 Session, 18 Nov. 1708

21 April, 1709

2 Session, 15 Nov. 1709

5 April, 1710

Dissolved 21st September, 1710.

Sir RICHARD ONSLOW, Speaker.

Third, summoned for 25th Nov. 1710.

Sat on business.

Prorogued.

1 Session, 27 Nov. 1710

12 June, 1711

2 Session, 7 Dec. 1711

8 July, 1712

3 Session, 9 April, 1713

10 July, 1713

Dissolved 8th August, 1713.

WILLIAM BROMLEY, Speaker.

Fourth, summoned for 12th Nov. 1713.

Sat on business.

Prorogued.

1 Session, 18 Feb. 1714

9 July, 1714

2 Session, 5 August, 1714

25 Aug. 1714

Dissolved 13th January, 1715.

Sir THO. HANMER, Bart. Speaker.

Fifth,

Fifth, summoned for 17th March, 1715.

Sat on business.	Prorogued.
1 Session, 21 March, 1715.	26 June, 1716
2 Session, 20 Feb. 1717	15 July, 1717
3 Session, 21 Nov. 1717	21 March, 1718
4 Session, 11 Nov. 1718	18 April, 1719
5 Session, 23 Nov. 1719	11 June, 1720
6 Session, 8 Dec. 1720	29 July, 1721
7 Session, 31 July, 1721	10 Aug. 1721
8 Session, 19 October, 1721	7 March, 1722

Disolved 10th March, 1722.

SPENCER COMPTON, Speaker.

Sixth, summoned for 10th May, 1722.

Sat on business.	Prorogued.
1 Session, 9 October, 1722	27 May, 1723
2 Session, 4 January, 1724	24 April, 1724
3 Session, 12 Nov. 1724	31 May, 1725
4 Session, 20 January, 1726	24 May, 1726
5 Session, 17 January, 1727	15 May, 1727
6 Session, 27 June, 1727	17 July, 1727

Disolved 5th August, 1727.

Sir SPENCER COMPTON,

Knight of the Bath, Speaker.

Seventh,

Seventh, summoned for 28th Nov. 1727.

Sat on business.

Prorogued.

1 Session, 27 January, 1728	28 May, 1728
2 Session, 21 January, 1729	14 May, 1729
3 Session, 13 January, 1730	15 May, 1730
4 Session, 21 January, 1731	7 May, 1731
5 Session, 13 January, 1732	1 June, 1732
6 Session, 16 January, 1733	13 June, 1733
7 Session, 17 January, 1734	16 April, 1734

Dissolved 18th April, 1734.

The Right Hon. ARTHUR ONSLOW, Esq.
Speaker.

Eighth, summoned for 13th June, 1734.

Sat on business.

Prorogued.

1 Session, 23 January, 1735	15 May, 1735
2 Session, 15 January, 1736	20 May, 1736
3 Session, 1 February, 1737	21 June, 1737
4 Session, 24 January, 1738	26 May, 1738
5 Session, 1 February, 1739	14 June, 1739
6 Session, 15 Nov. 1739	29 April, 1740
7 Session, 18 Nov. 1740	25 April, 1741

Dissolved 28th April, 1741.

The Right Hon. ARTHUR ONSLOW,
Speaker.

Ninth,

Ninth, summoned for 25th June, 1741.

Sat on business.

Prorogued.

- | | |
|-----------------------------|----------------|
| 1 Session, 4 Dec. 1741 | 15 July, 1743 |
| 2 Session, 16 Nov. 1742 | 21 April, 1743 |
| 3 Session, 1 Dec. 1743 | 22 May, 1744 |
| 4 Session, 27 Nov. 1744 | 2 May, 1745 |
| 5 Session, 17 October, 1745 | 12 Aug. 1746 |
| 6 Session, 18 Nov. 1746 | 17 June, 1747 |

Disolved 18th June, 1747.

The Right Hon. ARTHUR ONSLOW,
Speaker.

Tenth, summoned for 13th August, 1747.

Sat on business,

Prorogued.

- | | |
|-------------------------|----------------|
| 1 Session, 12 Nov. 1747 | 13 May, 1748 |
| 2 Session, 29 Nov. 1748 | 13 June, 1749 |
| 3 Session, 16 Nov. 1749 | 12 April, 1750 |
| 4 Session, 17 Jan. 1751 | 25 June, 1751 |
| 5 Session, 14 Nov. 1751 | 26 March, 1752 |
| 6 Session, 11 Jan. 1753 | 7 June, 1753 |
| 7 Session, 15 Nov. 1753 | 6 April, 1754 |

Disolved 8th April, 1754.

The Right Hon. ARTHUR ONSLOW,
Speaker.

Eleventh,

Eleventh, summoned for May 31, 1754.

Sat on business.

Prorogued.

- | | |
|-------------------------|----------------|
| 1 Session, 31 May, 1754 | 4 June, 1754 |
| 2 Session, 14 Nov. 1754 | 25 April, 1755 |
| 3 Session, 13 Nov. 1755 | 15 July, 1756 |
| 4 Session, 27 Dec. 1756 | 4 July, 1757 |
| 5 Session, 1 Dec. 1757 | 20 June, 1758 |
| 6 Session, 23 Nov. 1758 | 2 June, 1759 |
| 7 Session, 13 Nov. 1759 | 22 May, 1760 |
| 8 Session, 18 Nov. 1760 | 19 March, 1761 |

Dissolved 20th March, 1761.

The Right Hon. ARTHUR ONSLOW,
Speaker.

Twelfth, summoned for 19th May, 1761.

Sat on business.

Prorogued.

- | | |
|-------------------------|----------------|
| 1 Session, 3 Nov. 1761 | 2 June, 1762 |
| 2 Session, 25 Nov. 1762 | 19 April, 1763 |
| 3 Session, 15 Nov. 1763 | 19 April, 1764 |
| 4 Session, 10 Jan. 1765 | 24 May, 1765 |
| 5 Session, 17 Dec. 1765 | 6 June, 1766 |
| 6 Session, 11 Nov. 1766 | 2 July, 1767 |
| 7 Session, 24 Nov. 1767 | 10 March, 1768 |

Dissolved 11th March, 1768.

The Right Hon. Sir JOHN CUST,
Speaker.

Thirteenth,

Eleventh

Thirteenth, summoned for 12th July, 1768.

Sat on business.

Prorogued.

- | | |
|-------------------------|---------------|
| 1 Session, 8 Nov. 1768 | 9 May, 1769 |
| 2 Session, 9 Jan. 1770 | 19 May, 1770 |
| 3 Session, 13 Nov. 1770 | 8 May, 1771 |
| 4 Session, 21 Jan. 1772 | 9 June, 1772 |
| 5 Session, 26 Nov. 1772 | 1 July, 1773 |
| 6 Session, 13 Jan. 1774 | 22 June, 1774 |

Dissolved 30th September, 1774.

The Right Hon. Sir JOHN CUST,	} Speakers.
The Right Hon. Sir FLETCHER	
NORTON,	

Fourteenth, summoned for 29th Nov. 1774.

Sat on business.

Prorogued.

- | | |
|-----------------------------|--------------|
| 1 Session, 30 Nov. 1774 | 26 May, 1775 |
| 2 Session, 26 October, 1775 | 23 May, 1776 |
| 3 Session, 31 October, 1776 | 6 June, 1777 |
| 4 Session, 20 Nov. 1777 | 19 May, 1778 |
| 5 Session, 25 Nov. 1778 | 3 July, 1779 |
| 6 Session, 25 Nov. 1779 | 8 July, 1780 |

Dissolved 1st September, 1780.

The Right Hon. Sir FLETCHER NORTON,
Speaker.

Fifteenth,

Fifteenth, summoned for 31st October, 1780.

Sat on business.	Prorogued.
1 Session, 1 Nov. 1780	18 July, 1781
2 Session, 27 Nov. 1781	11 July, 1782
3 Session, 5 Dec. 1782	16 July, 1783
4 Session, 28 Nov. 1783	24 March, 1784

Disolved 25th March, 1784.

The Right Hon. C. W. CORNWALL,
Speaker.

New Parliament summoned for 18th May, 1784.

APPEN.

A P P E N D I X.

**LIST of ORDERS of the HOUSE
of COMMONS, with the Date of each,
and a TABLE of FEES to be demanded and
taken by its Officers and Servants.**

ORDERS AGAINST OBSTRUCTIONS IN THE STREETS.

February 12, 1667.

THE constables and other officers of Middlesex
and Westminster to keep the streets clear be-
tween Temple-Bar and Westminster-Hall, from eight
o'clock in the morning till two in the afternoon.

November 19, 1685.

Altered from ten till four in the afternoon.

January 16, 1735.

Altered from eleven till one, and from four till six.

January 21, 1615.

The justices to see that the scavengers keep the
streets clear leading to the house of commons.

January 28, 1699.

The constables to see that there is no gaming in
Westminster-Hall during the sitting of parliament.

January 14, 1729.

The serjeant at arms to see that there is no gaming
amongst the footmen.

October

October 13, 1666.

That no footmen be suffered to be in the lobby, or on the stairs leading to the house, during the time it is sitting.

June 4, 1685.

The members to be desired to disarm their footmen attending the house.

ORDERS CONCERNING PAPISTS.

December 10, 1690.

No papist to come into Westminster-Hall, the court of request, or lobby, during the sitting of the house.

ORDERS FOR SETTING UP LAMPS.

December 8, 1699.

Lamps to be placed on the stairs and passages.

COLLECTIONS FOR OFFICERS OF THE HOUSE.

August 14, 1625.

Every knight of the shire to pay 10s. and every burghs 5s. and whoever is absent to pay double, for the officers of the house.

June 24, 1641.

Every knight to pay 20s. and every burghs 10s. to be disposed of according to the order of the house amongst its officers.

December 13, 1644.

No bill to pass the house, or be sent to the lords, until the usual fees are paid.

May 16, 1662.

Every knight to give 10s. and every burghs 5s. amongst the servants.

February

February 22, 1731.

The Table of Fees to be taken by the officers and servants of the house, to be hung up in the lobby, and to be as follows:

A TABLE of FEES to be demanded and taken by the Officers and Servants of the Honourable House of Commons.

To Mr. Speaker. £. 5. 12.

For every private bill

For every private enacting clause

And if the bill concerns a county or counties,

corporation or corporations, or in the case

of such-like bills, called double bills

To Mr. Speaker's Secretary.

For every private bill

For every private enacting clause

And if the bill concerns a county or counties,

corporation or corporations, or in the case

of such-like bills, called double bills

For every warrant signed by Mr. Speaker for

a new writ, commitment, discharge, or

witness to attend

To the Clerk, and the Officers under him.

To the Clerk.

For the several readings

For previating, amendments, inter-

locutory orders, and other pro-

ceedings

For the order of commitment

For

For

For

For every private enacting clause	—	5	0	0
And if the bill concerns a county or counties, or corporation or corporations, or in the case of such-like bills, called double bills	—	10	0	0
For every order upon motion or petition, or committees appointed in private matters, or copies of them, or of committees in public matters, taken out by any person	—	8	0	0
For every order for the commitment or discharge of any person	—	1	0	0
For copies of all petitions, reports, or other matters out of the Journals, if under ten sheets	—	8	0	0
— if above ten sheets, per sheet	—	1	0	0
For every search in the Journals	—	6	0	0
For copies of bills, per sheet	—	6	0	0
— but if for members	—	4	0	0
For engrossing bills, per press	—	12	0	0
For every hearing at the bar, from each side	—	4	0	0
For attending committees of the whole house, or grand committees in private concerns	—	13	0	0
And for preparing the report, and transferring	—	10	0	0
For reading at the table, and entering in the Journal, a report in private matters, if long	—	10	0	0
— if short	—	6	0	0
For swearing every member without and within doors (upon the clerk of the crown's return upon any vacancy) after the sessions begun, and filling the certificate, and entering it in the Return Book	—	3	0	0
For the rest, by act of parliament, at the table	—	1	0	0
For swearing every person at the table, in order to be naturalized	—	4	0	0

A P P E N D I X

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To the Clerk of the House.

- For every private bill ————— 1 0 0
- For every private enacting clause ——— 0 0 0
- And if the bill concerns a county or counties,
or corporation or corporations, or in the
case of such-like bills, called double bills — 2 0 0
- For every hearing at the bar, from each side — 0 6 8
- For attending committees of the whole house,
or grand committees, in private concerns — 6 0 0
- For every order of such committees ——— 5 0 0
- For reading every petition in private matters — 2 8 0

To the Clerk of the Committee of Elections.

- For attending the hearing the merits of the cause — 13 4
- For drawing the report ————— 6 8
- For a fair copy of the report for the chairman — 3 4
- For each exhibit ————— 2 0
- For the examination of a witness ——— 2 6
- For each order of the committee ——— 3 0

To the four Clerks without Doors attending upon Committees.

- For attending to adjourn a committee upon a
private bill or petition ————— 3 4
- For attending a sitting of the committee upon
such bill or petition ————— 6 8
- For drawing and transcribing the report for
such committee ————— 6 8
- And where the bill or petition concerns a
county or corporations, or body of people,
in such-like cases (in which double fees are
paid to the officers of the house) double
fees. ————— 13 4
- For a summons for a witness to attend a com-
mittee ————— 2 6

A P P E N D I X.

For examining a witness, or taking the consent of a party to the passing of a bill	0	2	6
For every deed, or other exhibit, made use of before the committee	0	2	6
<i>To the chief Clerk without Doors (being one of the four Clerks without Doors) who receives the Fees, and pays them to the Officers of the House, for so doing,</i>			
For every private bill	0	2	6
For every private enacting clause	0	2	6
And if a bill concerns a county or counties, corporation or corporations, or in the case of such-like bills, called double bills, a double fee	0	2	6
<i>To the Serjeant and Officers under him.</i>			
<i>To the Serjeant.</i>			
For every private bill	0	1	5
For every private enacting clause	0	1	5
And if the bill concerns a county or counties, or corporation or corporations, or in the case of such-like bills, called double bills	0	1	5
For taking a knight into custody	0	5	0
For taking a gentleman into custody	0	3	6
For one day in custody	0	6	8
For every day in custody	0	1	0
From every knight of the shire, when sworn into the house (upon the clerk of the crown's return upon any vacancy) after the session begun	0	1	0
From every burghers, upon such vacancy	0	5	0
From every person sworn at the table, in order to be naturalized	0	12	6
For every counsel pleading at the bar, or before any committee	0	10	0
			For

A P P E N D I X.

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For bringing a criminal to the bar — 0 6 8

For riding charges, for every mile — 0 10 6

To the Housekeeper.

For every private bill — 0 5 0

For every enacting clause — 0 5 0

And if the bill concerns a county or counties,

or corporation or corporations, or in the case

of such-like bills, called double bills — 0 10 0

For every private committee — 0 5 0

For every hearing at the bar — 0 10 0

For ever prisoner discharged by the house — 0 5 0

To the two Door-keepers.

For every private bill — 0 5 0

For every private enacting clause — 0 5 0

And if the bill concerns a county or counties,

or corporation or corporations, For in the

case of such-like bills, called double bills — 0 10 0

For attending a hearing at the bar in private

matters — 0 5 6

For delivering papers at the door — 0 5 0

Upon the discharge of every prisoner, to each — 0 2 6

From every member sworn upon the clerk of

the crown's return upon any vacancy after

the sessions begun — 0 5 0

To the four Messengers.

For serving any summons of the house in pri-

rate matters — 0 6 8

For serving the orders of committees in pri-

rate matters — 0 2 6

For attending a prisoner, per diem — 0 6 8

For keeping the door at a private committee — 0 2 6

F f 2

June

June 12, 1746.

The serjeant at arms to take the following fees, viz. the fee of 5l. or 3l. 6s. 8d. for taking a person into custody, the fees for one day in custody, viz. 1l. for himself, and 6s. 8d. for the messenger, and the fee of 6s. 8d. for bringing a criminal to the bar.

June 13, 1751.

Every bill for the particular interest of any person or persons, to be deemed a private bill.

Every enacting clause for a particular interest or benefit, to be deemed a private enacting clause.

Every such bill and clause, that concerns a county or counties, or corporation or corporations, or body or bodies of people, to be deemed a double bill.

Every distinct provision made in any bill for a private interest, to be deemed an enacting clause, and a distinct fee to be paid for the same.

No bill or clause as above mentioned to be read a second time till the fees be paid for the same.

ORDERS CONCERNING THE SPEAKER.

January 5, 1621.

The speaker not to take the chair till there are forty members.

December 19, 1698.

The speaker may at any time adjourn the house, without a question first put, if it be insisted on.

February 15, 1620.

The speaker not to move his hat until the third

sangee.

December

December 14, 1641.

All the members that are gone up to the Lord's before the speaker, to pay 5s. each.

May 31, 1612.

The house to meet at seven o'clock in the morning, and begin to read bills at ten.

February 14, 1606.

The house to assemble at eight o'clock, and enter into the great business at nine.

May 1, 1641.

All the members that come after eight, to pay 1s. and those that do not come the whole day, to pay 5s.

ORDERS CONCERNING PRAYERS.

April 19, 1642.

Those who do not come to prayers, to pay 1s.

May 31, 1659.

The speaker to take the chair constantly every morning by eight o'clock.

February 14, 1642.

Such members as come after nine o'clock, to pay 1s. to the poor.

March 21, 1647.

The speaker to leave the chair at twelve o'clock.

November 19, 1694.

No public business to be entered on after ten o'clock, nor any private business after ten o'clock.

November 25, 1695.

The same order for motions.

November 2, 1696.

To proceed on business at ten o'clock.

April 22, 1640. Those members that continue either in the committee-room or judges-room at time of prayers, to forfeit 1s.

November 26, 1640. Neither book nor glove to give any member title or interest to any place, if he has not been at prayers.

December 4, 1640. Any member not taking a place upon his entering the house, or going from it, to the disturbance of the house, or speaking aloud to hinder business, to pay 1s. to be divided between the serjeant and the poor.

March 10, 1734. No member to keep a place, unless at prayers, and then only for himself.

March 13, 1734. Any member may take a place before prayers, if he be at prayers afterwards.

November 16, 1747. All proceedings of committees after prayers to be declared null and void.

ORDERS FOR LOCKING THE BACK-DOOR.

December 20, 1650. The serjeant not to admit any but members, the minister that preys, and the officers attending the house.

March 5, 1662. The back-door of the speaker's chamber to be locked every morning at the sitting of the house, and

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the key delivered to the clerk and that the serjeant do clear the speaker's chamber every day before the door is locked up.

April 8, 1670.

The back-door in the speaker's chamber to be nailed up during the session.

April 7, 1670.

The back-door of the speaker's chamber to be locked up, and the keys laid on the table, during the sitting of the house.

February 26, 1688.

The serjeant to take all strangers that may be in the gallery into custody.

March 16, 1719.

No person to taken into custody to be discharged without special leave of the house.

April 10.

The lobby to be cleared of all strangers.

January 16, 1709.

No member to presume to take any stranger into the gallery or house while sitting.

February 8, 1688.

The serjeant to keep the bar clear.

ORDERS OF DECENCY, SPEAKING, AND MOTION, AND ON RISING OF THE HOUSE.

April 13, 1614.

No interruption to be made till the party speaking have done.

May

May 5, 1641.

The speaker to present the name of any member to the house that shall give any disturbance by whispering, or stirring out of his place.

February 17, 1644.

No member to go over the seats, or cross the house, or read any printed book.

March 23, 1693.

No member to take tobacco into the gallery, or to the table, sitting at committees.

April 17, 1604.

If any superfluous motion should be made, the speaker to direct.

December 4, 1645.

No new motion to be made until the business in agitation be ended.

March 23, 1641.

No new motion to be made after twelve o'clock.

April 1, 1644.

No member to move after prayers, till the chaplain has left the house.

August 23, 1660.

No private business to be done at half an hour past nine o'clock in the morning.

ORDERS TOUCHING NATURALIZATION.

Persons to be naturalized to take the oaths of allegiance and supremacy.

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ORDERS RELATING TO SPEAKING AND ACTING ON THE QUESTION.

April 14, 1604.

The speaker to stop any one speaking disorderly.

May 17, 1606.

Any man may speak after the affirmative question, and before the negative.

April 21, 1610.

If a bill be continued in two days, one may not speak twice.

November 10, 1640.

When a business is begun and in debate, if a member rise to speak to a new business, any member may not, but the speaker ought to interrupt him.

April 2, 1604.

Any question once carried, must stand as a judgment of the house.

June 15, 1604.

Upon adding a new thing, the question is to be put in the affirmative, and an old one is to be put in the negative.

When any alteration is required of a law, and thereupon a question put, the yeas must sit still, and the noes go forth.

November 28, 1621.

When the house agrees with a motion propounded by the speaker, there needeth no question.

May 11, 1626.

Whoever will have a thing, must go out, and so get it.

December

December 10, 1640.

Those who give their votes for the preservation of any order of the house, shall stay in, and those that give their votes against it, must go out.

May 7, 1697.

Upon rising, no man to go forth, until Mr. speaker is gone.

March 15, 1625.

No man to leave the committee before the speaker takes the chair again.

November 12, 1640.

Those who go out of the house in a confused manner before the speaker, to forfeit 10s.

March 21, 1678.

The orders for every day to be read in the morning before any other business.

October 27, 1680.

The votes of each day to be read the day following the first business.

ORDERS UPON PETITIONS, AND BRINGING IN, AND PASSING PRIVATE BILLS.

June 28, 1610.

Any stranger preferring a grievance must stand by at the reading of it.

November 14, 1689.

All petitions presented to the house, must be signed by the petitioners.

May 26, 1683.

No private bill to be brought in, but upon petition.

March

A P P E N D I X

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March 31, 1698.

The chairman of the committee, upon the report of every private bill, to acquaint the house, that the allegations of the bill have been examined, and the parties given their consent.

January 15, 1705.

All persons concerned therein, to personally attend, or send their consent in writing.

December 10, 1691.

Every person presenting a bill, to go from his place to the bar, and bring it up to the table.

September 23, 1746.

No petition to be printed, until read in the house.

November 12, 1705.

All petitions to be printed before the first reading.

March 5, 1722.

No private bill to be read, until printed copies are delivered to the members.

February 4, 1697.

The chairman of the committee for any private bill, not to sit thereupon until a week's notice set up in the lobby.

January 21, 1695.

Every private bill to have a day appointed for reading thereof, before the same be read.

January 15, 1697.

Upon the first reading of every private bill, a time to be appointed for the second reading.

Three days to be between the several readings of all private bills.

February

ORDERS TOUCHING BRINGING IN AND PASSING BILLS

February 6, 1707.

All persons intending to apply themselves to the parliament of Great Britain, for obtaining private bills, relative to estates in Ireland, to give public notice thereof, in each of the four courts of justice in Dublin.

That there be 30 days between the 1st and 2d reading of said bills.

May 13, 1690.

All bills brought in for confirming letters patent, must have a copy of such letters patent annexed to the bill.

May 6, 1690.

No engrossed bill to be brought to the table to be read the third time, but by the chairman of the committee, to whom the bill was committed.

ORDERS TOUCHING BRINGING IN AND PASSING PUBLIC BILLS, VIZ. POOR, TRADE, HIGHWAYS, PORTS, AND HARBOURS.

July 26, 1690.

No public bill shall pass but between nine and twelve o'clock.

March 7, 1699.

All bills relative to the poor to be deemed public bills.

March 13, 1716.

All bills for repairing and amending any highway, or for making any port, or harbour, or any river navigable, &c. &c. to be first referred to a committee.

ORDERS

ORDERS TOUCHING BRINGING IN AND PASSING BILLS
OF AID AND SUPPLY.

January 26, 1641.

Against the fundamental orders of the house, for any member to bring in a bill of subsidy, without special order of the house.

March 18, 1667.

No motion for any public aid, &c. to be debated upon without notice.

April 3, 1671.

In all aids and supplies given to the king, the rate, or tax, ought not to be altered by the lords.

July 3, 1678.

All aids and supplies declared to be the sole gift of the commons.

February 17, 1692.

No commissioner of customs and excise to sit in the house.

December 17, 1706.

No petition to be received for sums of money for the public service, but what is recommended from the crown.

March 29, 1707.

No petition for compounding with the crown to be considered but in a committee of the whole house.

April 23, 1713.

All petitions as above must have annexed to them certificates from the proper officers, stating the debt, what prosecutions have been made, and setting forth how much the petitioner and his sureties are able to pay thereof.

March

March 7, 1725.

No more petitions to be received for enabling his Majesty to sell the reversion of crown lands.

ORDERS TOUCHING BILLS IN GENERAL.

April 18, 1604.

Such bills as come down from the lords, and pass this house, when they are sent up again, are to be presented first, before any other bills, which had their beginning and passage in this house; next the public cases, the private bills of this house.

June 4, 1604.

If two stand up to speak, he against the bill (being known to be so) to be first heard.

June 24, 1604.

If a bill be continued in debate from day to day, one may not speak twice to it.

March 3, 1606.

When any bill is amended, the brief annexed to it to be amended also.

May 6, 1607.

The counsel *against* a bill to be first heard.

January 20, 1627.

Upon committing a public bill, one of the committee to be specially named, to take care of the bill.

March 5, 1660.

All bills to be dispatched in priority and order of time, as they were brought in, and have been depending.

ON ROYAL ASSENT TO BILLS.

November 21, 1554.

Upon a question asked in the house, if, upon the royal assent, the parliament may proceed without any prorogation, it was agreed that it might.

RECESS.

The house not bound up by the order for the recess.

ORDERS TOUCHING MESSAGES FROM THE KING AND THE LORDS.

May 5, 1604.

When the house differs from the desire of the lords propounded by their messengers, to send by their own messengers.

February 14, 1606.

When the house agrees with the lords, may send answer by the messengers that come from the lords.

March 10, 1620.

The house to be uncovered when a message comes from the king.

January 27, 1641.

No member to speak to the lords messengers coming in or going out.

May 10, 1641.

Mr. Maxwell coming to the house with a message, without the black rod, exception was taken at both.

August 21, 1641.

The house ought to have two messengers from the lords, according to ancient usage.

May 22, 1645.

No fresh business to be entered on, after notice given of a message from the lords.

ORDERS RELATING TO COMMITTEES.

March 7, 1606.

No member to be on a committee, who has declared himself against it.

November 9, 1640.

Every one who names another for a committee, to stand up uncovered.

April 30, 1642.

Notes to be set up at the door, of the times and places when the committees do meet.

January 21, 1657.

The names of the committees to be also put up on the door of the committee-room.

January 30, 1627.

No member to leave the house when in grand committee without leave.

May 1, 1651.

Every order of a committee to be signed by a quorum of the committee.

March 16, 1688.

If any member refuses to attend a committee, when summoned, the house to be acquainted therewith.

If any charge comes before any committee against any member of the house, the house to be acquainted therewith, without proceeding farther thereupon.

April

April 19, 1621.

No petition to be received but openly at the committee.

February 12, 1648.

No committee to sit after nine o'clock in the morning, and to meet every day at nine.

March 13, 1693.

No committee to sit after the hour the house is adjourned to.

June 28, 1641.

When the serjeant comes to any committee, to inform them the house is sitting, the chairman shall immediately come away.

February 28, 1699.

All committees to rise as soon as the house meets.

February 11, 1606.

The adjournment of a committee to be published next day in the house.

March 11, 1700.

Resolved, That in case (upon the days the committee of privileges and elections is to sit) there shall be a debate in the house, which holds till four o'clock, the said debate shall be then adjourned till a further day.

November 16, 1747.

Ordered, That a committee of privileges and elections be appointed, and meet this day seven-night at five of the clock in the afternoon, in the speaker's chamber, and do sit every Wednesday, Friday, and

G g 2

Monday,

Monday, in the afternoon; and all that come are to have voices; and they are to take into consideration all such matters as shall or may come in question, touching returns, elections, and privileges; and to proceed upon double returns in the first place, and to report their proceedings, with their opinions thereupon, to the house, from time to time; and all persons that will question any returns, are to do it within fourteen days next, and so within fourteen days next after any new return shall be brought in; and the committee are to have power to send for persons, papers, and records, for their information; and all members who are returned for two or more places, are to make their election by this day three weeks for which of the places they will serve, provided there be no question upon the return for that place; and if any thing shall come in question touching the return, election, or matter of privilege of any member, he is to withdraw during the time the matter is in debate; and that all members returned upon double returns do withdraw till their returns are determined. Revived annually.

January 18, 1698.

No strangers to be admitted while the committee of privilege and election sit; and the witnesses to attend in the lobby till wanted.

November 16, 1747.

The grand committee for religion to sit every Tuesday, the committee for grievances every Thursday,

day, the committee for courts of justice every Saturday, and the committee for trade every Friday.

ORDERS RELATING TO CONFERENCES.

March 26, 1604.

The number of the commons named for the conference to be always double to those of the lords, and the place of meeting to be appointed by the lords.

April 2, 1604.

The house not to confer with the judges.

A question once made, and carried in the affirmative or negative, cannot be questioned again, but must stand as a judgment of the house.

March 15, 1620.

Resolved, That in prescribing of conferences between both houses moving from the lords, they have done it verbally upon the lords report, entered into their Journal-Book; yet now order for the house to afford the lords the expite about the business, because it consists of so many heads; but Sir Edward Coke to move the lords this may not hereafter be taken for precedent.

Vide the Report.

This article is strictly agreeable to the copy.

August 8, 1625.

Sir Robert Philips moveth to send to the lords, to know whether they intend a committee of the whole house, or the whole house with the speaker; because in the one case to be uncovered, in the other case not.

Resolved, That the speaker and all to go as a

G g 3

house.

house, and if the lords keep bare, then to do the like; if they cover, then the speaker and the house to do the like.

May 12, 1627.

Ordered, All the gentlemen to give room to the porters.

August 2, 1641.

The house refuse a conference with the lords, because not mentioned on what subject.

January 16, 1702.

No member to stand within the bar of the painted chamber at a conference, but those appointed to manage it.

CALL OF THE HOUSE, the Manner, &c.

June 2, 1626.

The house to be called, and no excuse to be made till the house be fully called over; and then the excuses to be heard, the forfeitures to be disposed and disbursed in such sort as the house shall think fit; and if any failing, and their excuses not allowed, shall not pay the money forfeited within a week, then the serjeant at arms to be sent for him to come to the house to answer it; and, after the house is called over, the defaulters to be presently called.

June 30, 1626.

The sum to be forfeited 10l.

ORDERS TOUCHING MOTIONS FOR LEAVE INTO THE COUNTRY.

November 29, 1606.

A special order moved and made, that no lawyer
of

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of the house depart the town without leave of the house.

March 12, 1606.

No member to depart without paying the ordinary fee of 6s. 8d. to the clerk.

February 13, 1620.

No member shall go out of town without open motion and licence in the house.

March 11, 1668.

No member to have leave of absence without limiting a time when he is to return.

February 26, 1695.

No motion to be made for leave of absence, but when the member is present, except in case of sickness, to be affirmed by the member who shall make the motion.

ORDERS FOR FINING DEFAULTERS, &c.

March 28, 1664.

The penalty of 10l. to be paid by every knight, and 5l. by every citizen, &c. who shall make default in attending.

November 6, 1666.

To be sent for in custody of the serjeant.

October 27, 1680.

Such that are sent for in custody, not admitted to sit till they have paid their fees.

November 23, 1691.

All members sent for in custody of the serjeant at

G g 4

arms,

arms, do forbear coming into this house without leave of the house first had.

December 1, 1747.

The house to be called over upon Monday the 18th of January next, and such members as do not then attend, to be taken into custody of the serjeant at arms.

December 18, 1666.

Such members of the house as depart into the country without leave, be sent for in custody of the serjeant at arms.

February 13, 1667.

That every defaulter in attendance, whose excuse shall not be allowed this day, be fined the sum of 40l. and sent for in custody, and committed to the Tower till the fine be paid.

That every member as shall desert the service of the house for the space of three days together (not having had leave granted him by the house, nor offering such sufficient excuse to the house as shall be allowed) shall have the like fine of 40l. imposed on them, and shall be sent for in custody, and committed to the Tower; and that the fines be paid into the hands of the serjeant at arms, to be disposed of as the house shall direct.

April 6, 1668.

To pay a fine of 10l.

January

January 23, 1709.

That such members of this house, who do absent themselves without the leave of the house, are to be reputed deserters of their trust, and neglecters of that duty they owe to this house and their country.

**ORDERS ABOUT BRINGING DELINQUENTS
AND PRISONERS TO THE BAR.**

May 9, 1604.

No delinquent to be brought in but by the serjeant with his mace.

March 6, 1625.

Mr. Attorney being come to give satisfaction to the house from the Duke of Bucks;

Resolved, he be brought in with the mace, and then stand at the bar to be heard, and then to withdraw.

December 12, 1723.

The order of the day being read for the second reading of the bill for inflicting certain pains and penalties upon George Kelly, alias Johnson,

Ordered, That the serjeant at arms do stand with the mace at the bar, whilst the prisoner is there.

November 12, 1640.

Mr. Watkin, a member of the house, disobeying the house, being several times commanded to withdraw, was therefore called to the bar, and upon his knees submitted himself to the censure of the house.

RIGHT

RIGHT OF COMMITMENT.

June 7, 1675.

No person committed for breach of privilege, by order of this house, to be discharged during the session of parliament, but by order or warrant of this house.

June 9, 1675.

No commoner of England, committed by order or warrant of the house of commons, for breach of privilege, or contempt of that house, without order of that house, to be by any writ of *Habeas Corpus*, or any authority whatsoever, made to appear and answer, and to do and receive a determination in the house of peers, during that session of parliament wherein such person was so committed.

March 22, 1697.

No person committed by this house can, during the same session, be discharged by any other authority whatsoever.

The serjeant at arms attending this house to make no return of, or yield any obedience to, the said writs of *Habeas Corpus*; and for such his refusal, that he have the protection of the house of commons.

The lord keeper to be acquainted with the said resolutions, to the end that the said writs of *Habeas Corpus* may be superseded, as contrary to law, and the privilege of this house.

April

April 4, 1707.

When any person, ordered to be taken into the custody of the serjeant at arms, shall either abscond from justice, or, having been in custody, shall refuse to pay the just fees; in either of those cases, the order for commitment shall be revived at the beginning of the next session of parliament; and that this be declared to be a standing order of the house.

ORDERS ABOUT QUARRELS.

January 31, 1641.

Mr. Speaker shall have a warrant to stay at any time and apprehend such members as he shall be informed do send challenges, or receive or entertain challenges.

ORDERS TOUCHING PRIVILEGES AND PROTECTIONS.

The subjects have an undoubted right to petition the king for the calling and sitting of parliaments, and redressing of grievances.

To represent it to his majesty as seditious and tumultuous, a betraying the liberty of the subject.

December 6, 1535.

The privilege of the house declared to be broken, *Gabriel Pledall*, a member, having been bound in a recognizance in the star-chamber to appear there before the council.

February

February 23, 1627.

Every member, during the time of parliament, to have privilege for his goods and estate.

November 15, 1660.

The privilege of this house, in point of protections from arrest, to be confined only to members, and their *menial* servants only.

November 25, 1617.

Persons summoned to attend any committee of this house, to be freed from arrests in going, staying, and returning.

1675.

A breach of privilege for any member to be made a sheriff during the continuance of parliament.

November 30, 1699.

No member of this house to have any privilege during the sitting of parliament, except for his person only.

December 12, 1698.

No member to have the privilege of parliament in any case wherein he is only a trustee.

April 14, 1697.

No privilege in case of a breach of peace.

December 10, 1641.

The setting of guards about the house, without its consent, a breach of privilege.

ORDERS

ORDERS ABOUT POST-LETTERS AND
FRANKING.

August 14, 1689.

The breaking open letters directed to, or sent from any member, a breach of privilege.

May 27, 1698.

A person from the post-office to attend every day to deliver the members their letters.

September 9, 1715.

No member to frank any letter, unless the whole superscription be of his own hand-writing.

No member to have any letter free of postage, unless such member actually resides at the place to which such letter is directed.

No member to frank any public newspaper into the country but such as are printed.

All letters (not exceeding two ounces) franked, during the sitting of parliament, and forty days before, and forty days after every summons, or prorogation, ought to be carried free of postage.

A high breach of privilege in any post-master, &c. to open or detain any franked letter.

A high breach of privilege to forge any frank.

November 16, 1747.

Any letter coming to the house, to be read by the speaker.

March

March 7, 1694.

No letter to be delivered by the person attending from the post-office during the sitting of the house.

ORDERS TOUCHING THE JOURNALS.

February 4, 1666.

A committee appointed to inspect the Journals.

December 11, 1678.

The orders, &c. of the house to be drawn up, and read to the house before they are entered on the Journals.

December 10, 1641.

The clerk not to permit any Journal or records to be taken out of his custody.

October 22, 1666.

No person to inspect the Journals but the members.

No member to copy out of them during the sitting of the house.

ORDERS AGAINST PRINTING THE VOTES AND PROCEEDINGS OF THE HOUSE.

July 13, 1641.

No member shall either give a copy, or publish any thing in print, that he shall speak in the house, without leave.

March 22, 1642.

A breach of privilege to print the proceedings of the house.

February 11, 1695.

No news-letter writer to presume to meddle with the debates, or disperse any in their papers.

January

January 25, 1703.

No printer to presume to print any debates or proceedings of the house.

October 29, 1678.

None of the votes to be dispersed in the coffee-houses.

(N.B. There are orders against printing the debates of the house up to the year 1753.)

MEMBERS OF THE LONG ROBE.

November 6, 1666.

No member of this house of the long robe to plead at the bar of the house, during the sitting of parliament, without leave.

June 3, 1675.

No member to attend a summons of the lords without leave.

ORDER RELATING TO PREACHERS.

No clergyman (except the chaplain of this house) to preach before it, under the dignity of a dean in the church, or if he has not taken his degree of doctor of divinity.

F I N I S.

A. P. H. N. D. I. K.

January 22, 1893

No. 1000 in the series of the year 1893

Meeting of the year 1893

October 22, 1893

No. 1000 in the series of the year 1893

Meeting of the year 1893

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